



CITY OF ALAMEDA • CALIFORNIA

SPECIAL MEETING OF THE CITY COUNCIL
TUESDAY - - - July 5, 2005 - - 5:35 P.M.

Time: Tuesday, July 5, 2005, 5:35 p.m.

Place: City Council Chambers Conference Room, City Hall, corner of Santa Clara Avenue and Oak Street.

Agenda:

1. Roll Call.
2. Public Comment on Agenda Items Only.

Anyone wishing to address the Council on agenda items only, may speak for a maximum of 3 minutes per item.

3. Adjournment to Closed Session to consider:

3-A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Attorney.

3-B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9.

Number of cases: One.

3-C. CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiator: Acting City Manager.

Employee Organizations: Alameda Police Managers Association (APMA); Alameda Fire Management Association (AFMA); Management and Confidential Employees Association (MCEA); Alameda Police Officers Association (APOA), and International Association of Firefighters (IAFF).

4. Announcement of Action Taken in Closed Session, if any.

Adjournment


Beverly Johnson, Mayor



Housing Authority of the City of Alameda

701 Atlantic Avenue - Alameda, California 94501-2161 - TEL: (510) 747-4300 - FAX: (510) 522-7848 - TDD: (510) 522-8467

IF YOU WISH TO ADDRESS THE BOARD:

1. Please file a speaker's slip with the Executive Director, and upon recognition by the Chair, approach the rostrum and state your name; speakers are limited to 3 minutes per item.
2. Lengthy testimony should be submitted in writing and only a summary of pertinent points presented verbally.
3. Applause and demonstrations are prohibited during Board of Commissioners meetings.

AGENDA

REGULAR MEETING OF THE BOARD OF COMMISSIONERS

DATE & TIME **LOCATION**

Tuesday, July 5, 2005, 7:25 PM

City Hall, Council Chambers, Room 390, 2263 Santa Clara Ave., Alameda, CA

Welcome to the Board of Commissioners of the Housing Authority of the City of Alameda meeting. Regular Board of Commissioners meetings are held on the first Tuesday of each quarter in the Council Chambers at City Hall.

Public Participation

Anyone wishing to address the Board on agenda items or business introduced by Commissioners may speak for a maximum of three minutes per agenda item when the subject is before the Board. Please file a speaker's slip with the Housing Authority Executive Director if you wish to address the Board of Commissioners.

PLEDGE OF ALLEGIANCE

1. **ROLL CALL** - Board of Commissioners
2. **CONSENT CALENDAR**
 - Consent Calendar items are considered routine and will be approved or accepted by one motion unless a request for removal for discussion or explanation is received from the Board of Commissioners or a member of the public.
- 2-A. Minutes of the Regular Board of Commissioner meeting held April 5, 2005. Acceptance is recommended.

- 2-B. Minutes of the Special Joint Board of Commissioners and the Alameda Public Financing Authority Meeting held April 19, 2005. Acceptance is recommended.
- 2-C. Awarding Landscape Maintenance Services Contract. The Housing Commission and Acting Chief Executive Officer recommend that the Board of Commissioners:
1. Award the landscape maintenance services contract to Tree Sculpture for an amount not to exceed \$149,000 for FY2006, with an option to renew the contract for up to two additional one-year terms if service is found to be satisfactory and the Board of Commissioners adopts FY2007 and FY2008 budgets providing adequate funding; and
 2. Authorize the Executive Director to execute the contract.
- 2-D. Recommending Award of Contract for Furnace Replacement. The Housing Commission and Acting Chief Executive Officer recommend the Board of Commissioners:
1. Awarding a contract to Atlas Heating and Air Conditioning to replace furnaces at Eagle and Parrot Villages for \$96,880 plus an additional 10 percent of that amount for any needed change orders, for an amount not to exceed \$106,568; and
 2. Authorize the Executive Director to execute the contract.
- 2-E. Budget Revision for the Fiscal Year FY2006. The Housing Commission and Acting Chief Executive Officer recommend adoption of:
1. The budget revision for FY2006;
 2. The resolution for the Conventional Low-Rent Housing Program No. CA062 Esperanza).

3. AGENDA

None.

4. ORAL COMMUNICATIONS, Non-Agenda (Public Comment)

5. COMMISSIONER COMMUNICATIONS, (Communications from the Commissioners)

6. ADJOURNMENT

* * *

Note:

- * Sign language interpreters will be available on request. Please contact Carol Weaver, Secretary, at 747-4325 voice or 522-8467 TDD at least 72 hours before the meeting to request an interpreter.
- * Accessible seating for persons with disabilities (including those using wheelchairs) is available.
- * Minutes of the meeting are available in large print.
- * Audiotapes of the meeting are available on request.

Dedicated to Excellence, Committed to Service.

- * Please contact Carol Weaver at 747-4325 voice or 522-8467 TDD at least 72 hours prior to the meeting to request agenda materials in an alternative format, or any other reasonable accommodation that may be necessary to participate in and enjoy the benefits of the meeting.



CITY OF ALAMEDA • CALIFORNIA

IF YOU WISH TO ADDRESS THE COUNCIL:

1. Please file a speaker's slip with the Deputy City Clerk and upon recognition by the Mayor, approach the podium and state your name; speakers are limited to three (3) minutes per item.
2. Lengthy testimony should be submitted in writing and only a summary of pertinent points

AGENDA - - - - - REGULAR MEETING OF THE CITY COUNCIL
TUESDAY - - - - - JULY 5, 2004 - - - - 7:30 P.M.

[Note: Regular Council Meeting convenes at 7:30 p.m., **City Hall, Council Chambers, corner of Santa Clara Ave and Oak St.**]

The Order of Business for City Council Meeting is as follows:

1. Roll Call
2. Agenda Changes
3. Proclamations, Special Orders of the Day and Announcements
4. Consent Calendar
5. Agenda Items
6. Oral Communications, Non-Agenda (Public Comment)
7. Council Communications (Communications from Council)
8. Adjournment

Public Participation

Anyone wishing to address the Council on agenda items or business introduced by Councilmembers may speak for a maximum of 3 minutes per agenda item when the subject is before Council. Please file a speaker's slip with the Deputy City Clerk if you wish to address the City Council.

SPECIAL MEETING OF THE CITY COUNCIL 5:35 P.M.

CITY COUNCIL CHAMBERS CONFERENCE ROOM

Separate Agenda (Closed Session)

REGULAR MEETING OF THE HOUSING AUTHORITY BOARD 7:25 P.M.

OF COMMISSIONERS, CITY COUNCIL CHAMBERS

Separate Agenda

1. ROLL CALL - City Council

2. AGENDA CHANGES

3. PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

3-A. Presentation by the Alameda Architectural Preservation Society to the City of Alameda of a Historic Preservation Award for the adaptive re-use of the City Hall West Building at Alameda Point.

3-B. Library Project update.

4. CONSENT CALENDAR

Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the Council or a member of the public.

4-A. Minutes of the Special City Council Meeting of June 14, 2005, Special and Regular City Council Meetings held on June 21, 2004, and Special City Council Meeting of June 23, 2005.

4-B. Bills for ratification.

4-C. Adoption of Resolution for the Annual Adjustment of the Citywide Development Impact Fee by the Construction Cost Index.

5. REGULAR AGENDA ITEMS

5-A. Adoption of Resolution Commending Alameda Police Department Chief Burnham Matthews for His Contributions to the City of Alameda.

5-B. Adoption of Resolution Reappointing Randal S. Miller as a Member of the Historical Advisory Board;

- Adoption of Resolution Reappointing Edward Depenbrock as a Member of the Housing and Building Code Hearing and Appeals Board;
- Adoption of Resolutions Reappointing Nancy W. Gormley and Garnetta S. King as Members of the Housing Commission;
- Adoption of Resolutions Reappointing Ruth K. Belikove and Alan D. Mitchell as Members of the Library Board; and
- Adoption of Resolutions Reappointing Rebecca L. Kohlstrand Parsons and Margaret McNamara as Members of the Planning Board; and

- Adoption of Resolutions Reappointing Stewart Chen, Karen Hollinger Jackson, and Cynthia Wasko as Members of the Social Service Human Relations Board.

5-C. Final Passage of Ordinance Amending the Alameda Municipal Code to Change the Name of the Public Art Advisory Committee to Public Art Commission, Transfer Reporting from Recreation and Park Commission to City Council, and Transfer Staffing from the Recreation and Park Department to the Planning and Building Department by Amending Subsections 30-65.3 (Contribution Requirements), 30-65.4 (Public Art), 30-65.5 (Alameda Public Art Fund), 30-65.7 (Public Art Advisory Committee), 30-65.8 (Application and Approval Procedures for Placing Public Art on Private Property) , 30-65.10 (Guidelines for Approval), and 30-65.11 (Appeal to the City Council) of Section 30-65 (Public Art in New Commercial, Industrial, Residential and Municipal Construction).

5-D. Report on proposed PERS Golden Handshake Retirement under California Government Code Section 20903.

5-E. Reconsideration of acceptance of Management Practice #37.
[Mayor Johnson]

5-F. Report from the Housing Task Force regarding strategies to prevent mass evictions and provide for low income housing.

6. ORAL COMMUNICATIONS, NON-AGENDA (Public Comment)

Any person may address the Council in regard to any matter over which the Council has jurisdiction or of which it may take cognizance, that is not on the agenda.

7. COUNCIL COMMUNICATIONS (Communications from Council)

7-A. Consideration of Mayor's nominations for appointment to the Oakland Chinatown Advisory Committee and Transportation Commission.

8. ADJOURNMENT

- For use in preparing the Official Record, speakers reading a written statement are invited to submit a copy to the City Clerk at the meeting or e-mail to: lweisige@ci.alameda.ca.us
- Sign language interpreters will be available on request. Please contact the City Clerk at 747-4800 or TDD number 522-7538 at least 72 hours prior to the Meeting to request an interpreter.
- Equipment for the hearing impaired is available for public use.

For assistance, please contact the City Clerk at 747-4800 or TDD number 522-7538 either prior to, or at, the Council Meeting.

- Accessible seating for persons with disabilities, including those using wheelchairs, is available.
- Minutes of the meeting available in enlarged print.
- Audio Tapes of the meeting are available upon request.
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Housing Authority of the City of Alameda

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MINUTES

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF ALAMEDA HELD TUESDAY, APRIL 5, 2005

The Board of Commissioners was called to order at 7:42 p.m.

PLEDGE OF ALLEGIANCE

1. ROLL CALL

Present: Commissioners Daysog, Gilmore, deHaan, Matarrese, Torrey and Chair Johnson

Absent: None.

2. CONSENT CALENDAR

Commissioner Torrey moved acceptance of the Consent Calendar. Commissioner Matarrese seconded. Motioned carried unanimously. Items accepted or adopted are indicated by an asterisk.

- *2-A. Minutes of the Special Joint City Council, Board of Commissioner, and Community Improvement Commission meeting held May 27, 2004. Minutes were accepted.
- *2-B. Minutes of the Special Board of Commissioner meeting held February 1, 2005. Minutes were accepted.
- *2-C. Minutes of the Special Board of Commissioner meeting held March 1, 2005. Minutes were accepted.
- *2-D. Awarding Contract for Unit Cycle Interior Painting. The Board of Commissioners awarded a two-year interior painting contract to Pavlos Theodoropoulos Painting Co. for an amount not to exceed \$109,625.
- *2-E. Budget Revision for the Fiscal Year FY2005. The Board of Commissioners approve the proposed budget revisions for FY2005 and adopted the resolution revising the budget for Esperanza.

3. AGENDA

3-A. Recommending Land Purchase from East Bay Municipal Utility District and to Provide for Additional Parking for Independence Plaza Residents.

Chair Johnson questioned if the Housing Authority could afford the property purchase and construction of the parking lot. Executive Director Michael Pucci said it is affordable due to the refinancing of Parrot Village and Eagle Village. The \$110,800 for the property purchase is included in the bond issuance/refinancing. Included in the refinancing is another \$800k for improvements at Parrot Village and Eagle Village. Independence Plaza has it's own separate replacement reserve fund which is how the parking lot improvements would be paid. Esperanza and other complexes also have their own replacement reserve funds. There are adequate reserves for roofs, exterior painting and other improvements.

Commissioner Gilmore stated she is in favor of the additional parking spaces. She said her issue is whether or not the swap is paid for by the Housing Authority or the City. She feels the parking is needed and clearly the parkland is wanted. Her question was; is parkland needed enough to use money for maintenance to pay for it.

Commissioner Daysog asked how good the appraisal was on the property. He asked if the City should wait until it goes up for sale and bid on it. Chief Executive Officer William Norton said the property is in a good location for a view lot but is next to the noisy bridge. The noise can be mitigated by insulation and triple paned windows.

Commissioner deHaan asked if there was other funding that could be used to purchase the property. Mr. Norton responded affirmative, the Council set aside money for open space. Mr. Pucci added the property consists of 5,000 square feet and felt the value is approximately \$20 per square foot.

Commissioner Gilmore asked the amount of the Council money and if it is already earmarked for open space. Mr. Norton said it's earmarked only for open space and there is \$1 million. Commissioner Gilmore stated she felt more comfortable using funds earmarked for open space to purchase open space rather than funds earmarked for maintenance to purchase open space. Commissioner Mataresse agreed stating he'd rather spend the open space funds to buy open space.

Commissioner Daysog felt there should be some adjustment on how parking spaces are assigned. Mr. Pucci responded said people are put on a waiting list for parking spaces closer to their units. Many tenants are located where they need to be with the exception of a few parking further away. He gave an example of a tenant giving up her close parking space for another tenant more immobile. Tenants are encouraged to swap their parking spaces for the benefit of others.

Commissioner Gilmore asked if the Board could authorize funds to come out of the open space budget to pay for the parcel of land and then have the Housing Authority swap Neptune Park land for open space. Mr. Norton felt this was the wrong meeting for this request, this request will come back to a future meeting of the Board. EBMUD will be notified that the City is interested in proceeding with the parcel purchase.

Commissioner Martarrese moved that the Board of Commissioners:

1. Authorize the Chief Executive Officer or designee to enter into an agreement for the sale of real property to purchase two real estate parcels from the East Bay Municipal Utility District for the sum of \$110,800 plus closing costs; and/or
2. Exchange those parcels with the City of Alameda Department of Recreation and Parks for approximately 21,000 square feet of property at Neptune Park to met the needs of Independence Plaza residents.

Commissioner Torrey seconded. Motion carried unanimously.

Commissioner Matarrese asked if the City could explore a commute plan for employees during commute time to free up staff parking spaces. Mr. Norton said the City is looking into this. Off-site parking was also suggested for maintenance vehicles.

- 3-B. Refinancing of Parrot Village and Eagle Village and the Potential Need to Form a Single-Asset Entity to Hold Title to These Properties. Mr. Pucci explained this was brought to the Board in 2004. Since then the Housing Authority has engaged the services of a bond counsel, an underwriter, and ARCS Commercial Mortgage. Bond issuance is proceeding through Fannie Mae, it will be credit enhanced through Fannie Mae. Fannie Mae initially required the Housing Authority to form a single-asset entity, in other words, having both properties held by either a non-profit or an LLC rather than the Housing Authority. Fannie Mae felt if there were any financial problems they could go after the properties. Currently Fannie Mae is no longer requiring this and said the Housing Authority can be a multi-asset entity. The new plan is to have the Alameda Public Finance Authority, which is a JPA, issue the bonds and the Housing Authority will be the borrower. This item is deferred and will be presented at the next meeting.

Commissioner Gilmore asked if the JPA will issue the bonds. Mr. Pucci responded the JPA has the authority to issue tax-exempt bonds. The Housing Authority cannot be both the issuer and borrower, so an entity is needed to issue the bonds with the Housing Authority being the borrower.

Commissioner deHaan asked the value of the bonds. Mr. Pucci stated approximately \$6.8 million. \$5.4 million to be used to pay off Parrot Village, China Clipper and Eagle Village with the remaining funds for bond issuance expenses and Housing Authority improvements. This is a 30 year bond. Bond counsel fees should be \$30k and they were selected jointly with the City Attorney's office. Tom Downey from Jones Hall was selected. The terms of issuance and resolution will be in the next Board packet.

This is for information purposes only.

4. ORAL COMMUNICATIONS

None.

5. COMMISSIONER COMMUNICATIONS

Commissioner Torrey announced an upcoming event by the American Red Cross.

6. ADJOURNMENT

There being no further business, Chair Johnson adjourned the meeting at 8:24 p.m.

Attest:

Beverly Johnson, Chair

Michael T. Pucci
Executive Director / Secretary



Housing Authority of the City of Alameda

701 Atlantic Avenue - Alameda, California 94501-2161 - Tel: (510) 747-4300 - Fax: (510) 522-7848 - TDD: (510) 522-8467

MINUTES

SPECIAL JOINT MEETING HOUSING AUTHORITY BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF ALAMEDA AND THE ALAMEDA PUBLIC FINANCING AUTHORITY HELD TUESDAY, APRIL 19, 2005

The board of Commissioners was called to order at 7:41 p.m.

PLEDGE OF ALLEGIANCE

1. ROLL CALL

Present: Commissioners Daysog, Gilmore, deHaan, Matarrese, Torrey and Chair Johnson

Absent: None

2. CONSENT CALENDAR

None.

3. AGENDA ITEM

Public Hearing to consider authorization of Bond issuance and borrowing for refinancing of apartment complexes, and amendment of the Budget to include Rehabilitation Projects and other related refinancing expenses;

- Adoption of Resolution Authorizing the Issuance, Sale and Delivery of the Alameda Public Financing Authority Multifamily Housing Revenue Refunding Bonds (Eagle Village/Parrot Village Apartments) 2005 Series A, Authorizing the Execution and Delivery of and Approving Bond Documents and Other Related Documents and Approving Other Related Actions in Connection Therewith. **[Alameda Public Financing Authority]; and**
- Adoption of Resolution of the Board of Commissioners of the Housing Authority of the City of Alameda Authorizing the Borrowing of Moneys for the Purpose of Refinancing Multifamily Housing Developments and Authorizing Execution and Delivery of and Approving Bond Documents and Other Related Documents in Connection Therewith. **[Housing Authority Board of Commissioners]**

Chair Johnson inquired how much the fees are for the bond underwriter, to which the Executive Director responded \$34,000.

Chair Johnson inquired whether price is involved in the Request for Qualifications (RFQ) process, to which the Executive Director responded in the affirmative; stated price is secondary; experience in the area of housing bonds for housing authorities is primary.

Chair Johnson inquired whether the RFQ is brought to the Housing Authority Board of Commissioners (HABOC), to which the Executive Director responded the RFQ was brought to the HABOC at a meeting in October.

Chair Johnson inquired whether the RFQ includes qualifications, scope of work, and proposed fees.

The Executive Director responded that the RFQ had an analysis of the bond underwriter's qualifications; the experience was analyzed with bond types and rating agencies, references, services to be provided, fees, and the staff and principal's experience and skills.

Chair Johnson inquired what were the range of fees, to which the Executive Director responded a few of the fees were close; the firm of Stone and Youngberg was the lowest or second lowest.

Chair Johnson stated getting the best competitive prices is important; inquired how the bond counsel selection process was completed.

The Executive Director responded that the City Attorney's office has three firms under contract; two firms were contacted; one firm had a conflict of interest; a fee equal to the lowest proposal was negotiated.

Chair Johnson inquired whether the firms are under contract.

The City Attorney responded that a global RFQ was done in order to create a panel; firms with expertise for legal services were chosen.

Chair Johnson inquired how often a RFQ is done for that type of panel, to which the City Attorney responded issuance is done for each particular bond; providing the lowest price is a factor on the criteria for bond counsel.

Chair Johnson inquired whether a RFQ is done for each bond issued, to which the City Attorney responded in the affirmative.

Chair Johnson inquired how much are the bond counsel fees, to which the Executive Director responded \$30,000; the City was able to negotiate a flat fee with Jones Hall versus a percentage of the issuance of the bonds.

The City Attorney stated bond issuance provides enough time to complete an RFQ.

Chair Johnson inquired whether the contracts for bond counsel and bond underwriters are approved by the Council/Board of Commissioners.

The City Attorney responded in the negative; stated the actual selection of legal counsel is vested in the City Attorney as provided by the City Charter and the bylaws of the Alameda Reuse and Redevelopment Authority, Housing Authority and CIC; the Council cannot hire attorneys; only the City Attorney can sign a contract for legal services.

Chair Johnson stated that she recollects that the Charter states that the City Attorney can select Counsel with approval of the Council.

The City Attorney stated that she has an outside legal opinion on the matter; the Charter states that the City Council may empower the City Attorney to employ special counsel; the Charter has been consistently interpreted for a number of years, was reviewed by outside legal counsel, and addressed before she started in 1989; that the City Council, under the separation of powers doctrine, cannot hire attorneys.

Chair Johnson inquired whether said interpretation of the Charter states that the Council has no oversight or control over attorneys hired through the City Attorney's office.

The City Attorney responded that the City Council and the City Attorney have a balance; the individual contract with the individual attorney is not signed by the City Council; the Charter states that the City Attorney has to request a specific outside counsel under Section 8-5; the Council could refuse to fund that attorney.

Chair Johnson stated that she is interested in having a competitive process with all contracts to ensure the City gets the lowest price; as a public entity, there is an obligation to open up opportunities for everyone to do work for the City.

Commissioner/Board Member Daysog suggested revisiting the internal process employed for bond issuing; stated the City Council should have a voice in determining whether to sole source or go out to bid; the bond issuance guidelines utilized by staff could easily be translated into an ordinance; there are some other issues that the City Attorney is raising regarding professional services that might not translate easily.

Commissioner/Board Member Daysog moved adoption of resolutions.

Commissioner Torrey seconded the motion, which carried by unanimous voice vote – 6. [Note: Commissioner Torrey is not a member of the Alameda Public Financing

Authority (APFA); therefore, the APFA resolution was adopted by 5 ayes.]

4. ORAL COMMUNICATIONS

None.

5. COMMISSIONER COMMUNICATIONS

None.

6. ADJOURNMENT

There being no further business, Chair Johnson adjourned the meeting at 7:55 p.m.

Attest:

Beverly Johnson, Chair

Michael T. Pucci
Executive Director / Secretary



Housing Authority of the City of Alameda

701 Atlantic Avenue - Alameda, California 94501-2161 - Tel: (510) 747-4300 - Fax: (510) 522-7848 - TDD: (510) 522-8467

Date: June 16, 2005

To: Honorable Chair and Members
of the Board of Commissioners

From: William C. Norton
Acting Chief Executive Officer

RE: Awarding Landscape Maintenance Services Contract

Background:

The budget includes funding to maintain the landscaping at all Housing Authority properties. The current landscape maintenance contract will expire on June 30, 2005.

At its regular meeting on June 15, 2005, the Housing Commission reviewed this information and recommend award of a contract to Tree Sculpture.

Discussion:

An Invitation For Bids (IFB) was issued on April 11, 2005. The IFB was advertised in the *Alameda Journal* and on the Housing Authority's website (www.alamedahsg.org). In addition, a notice was faxed to 18 landscape maintenance contractors in order to include Alameda firms, to provide the information to contractors who were on file as having requested it, and to broaden participation in this process. The Housing Authority also is making the IFB, and all required forms available on the website to make it easier for interested contractors to participate. Any contractor who does not have access to the Internet was welcome to call for a paper copy of the IFB. The IFB advised that it was the Housing Authority's intention to award the contract for one year with an option to renew the contract for two more one year terms.

Contractors were provided with an opportunity to see the properties on April 19. They were asked to provide bids for next fiscal year, starting July 1, 2005, and percentage increases for two subsequent years. Bids were due May 10, 2005. Four bids were received as follows:

<u>Bidder</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Rubicon (Richmond)	\$108,996	\$111,721	\$114,514
RMT (San Leandro)	\$172,800	\$181,440	\$190,512
Tree Sculpture (Oakland)	\$105,025	\$108,701	\$112,505
Eden Lawn Care (Vallejo)	\$99,360	\$105,322	\$111,641

Unfortunately, the apparent low bidder, Eden Lawn Care, did not meet one of the requirements as outlined in the Invitation for Bids. As such, it is the recommendation to award the contract to the second lowest bidder, Tree Sculpture.

Tree Sculpture, which recently moved from Alameda to Oakland, has provided landscape maintenance services for the Housing Authority for the last three years. The company has proved to be very responsive, and the grounds look better than they have for many years. The contract will be considered for renewal in FY2007 and FY2008 only if service continues to be satisfactory.

Fiscal Impact:

The Housing Authority has \$149,098 budgeted for the upcoming fiscal year (FY2006) for landscaping services. It is anticipated that the budgets for FY2007 and FY2008 will be about the same or increased by a small percentage. The FY2006 budget will cover the cost for the first year of service, leaving nearly \$44,000 for additional services, such as making irrigation system repairs. Due to its length, the contract is on file in the City Clerk's Office and the Housing Authority's Administrative office. The contract will be considered for renewal only if a budget is adopted for fiscal years 2007 and 2008 and the amounts are adequate to cover the cost.

Policy Document Reference:

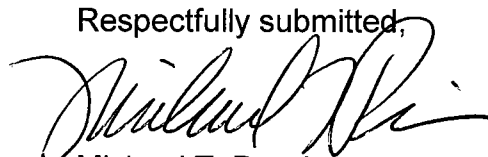
The Board of Commissioners adopted a Procurement Policy for the Housing Authority in 1996 that established contract amounts that require its approval. The Board must approve award of all contracts in excess of \$75,000.

Recommendation:

The Housing Commission and Acting Chief Executive Officer recommend that the Board of Commissioners:

1. Award the landscape maintenance services contract to Tree Sculpture for an amount not to exceed \$149,000 for FY2006, with an option to renew the contract for up to two additional one-year terms if service is found to be satisfactory and the Board of Commissioners adopts FY2007 and FY2008 budgets providing adequate funding; and
2. Authorize the Executive Director to execute the contract.

Respectfully submitted,



Michael T. Pucci
Executive Director

MTP:ED



Housing Authority of the City of Alameda

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Date: June 16, 2005

To: Honorable Chair and Members
of the Board of Commissioners

From: William C. Norton
Acting Chief Executive Officer

RE: Recommending Award of Contract for Furnace Replacement

Background:

The Housing Authority's budget contains two Extraordinary Maintenance Projects (EMPs) for next fiscal year. EV1-06 is to replace 38 central heating furnaces at Eagle Village and PV3-06 is to replace 64 wall furnaces at Parrot Village.

The Housing Commission reviewed this information at its regular meeting on June 15, 2005, and recommended that the Board of Commissioners award a contract for the above-mentioned work.

Discussion:

On May 2, 2005, the Housing Authority issued an Invitation for Bids (IFB) to replace furnaces at Eagle Village and Parrot Village. The bid announcement was published in the *Alameda Journal* and posted to the Housing Authority's web site. It also was mailed or faxed to 16 contractors. These contractors included those who have expressed interest in being notified when an IFB is issued, are Alameda contractors, and other contractors in the area who specialize in this type of work. Minority- and woman-owned businesses were encouraged to bid.

The Housing Authority has adopted some changes when issuing an IFB, as well as Requests for Proposals or Qualifications, to increase participation. For instance, the Authority is making it easier for contractors to obtain the bid package. Previously, contractors had to come to the Housing Authority office to pick up a bid package and, in some cases, a fee was imposed. Now, they are able to download the bid package from the Authority's web site. Anyone without Internet access can obtain a paper copy simply by making a call. The forms and format for IFBs also have been standardized, which should familiarize contractors with the requirements, thus reducing the number of bids thrown out as non-responsive.

A site visit to both complexes was scheduled for May 11. The deadline for submitting bids was May 24, 2005. Contractors were given the opportunity to bid separately to replace furnaces at Eagle Village or Parrot Village or to bid for both.

were asked to provide the hourly charge for any change orders, though it is less likely to occur on this type of project. Four contractors submitted bids as follows:

<u>BIDDER and LOCATION</u>	<u>EV</u>	<u>PV</u>	<u>EV&PV</u>	<u>CH. ORD.</u>
Rivera's Heating & Air, San Leandro			\$174,298	\$135
Bay Cities Construction, Oakland		\$59,700		\$85
Elliott & Elliott Co., Oakland	\$46,136	\$67,588	\$113,724	\$82
Atlas Heating & Air, Oakland	\$40,432	\$56,448	\$96,880	\$78

The lowest bidder was Atlas Heating and Air Conditioning. This company has performed the same or similar work for the Housing Authority, replacing furnaces at Eagle Village, Rosefield Village and Esperanza. Based on the Housing Authority's experience with this contractor, staff believes that the contractor is well qualified to fulfill this contract. Due to its size, the contract is on file in the City Clerk's Office and the Housing Authority's Administrative office.

Fiscal Impact:

The Housing Authority budget includes \$53,200 to replace furnaces at Eagle Village and \$86,950 to replace the furnaces at Parrot Village for a total of \$140,150. A contract award of \$96,880 plus a 10 percent contingency, would total \$106,568, well within the budgeted amount. Funds resulting from the refinancing of these two complexes are available to cover all budgeted expenses.

Policy Document Reference:

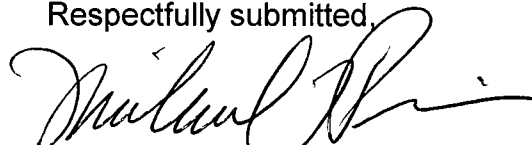
The Board of Commissioners adopted a Procurement Policy for the Housing Authority in 1996 that established contract amounts that require its approval. The Board must approve award of all contracts in excess of \$75,000.

Recommendation:

The Housing Commission and Acting Chief Executive Officer recommend the Board of Commissioners:

1. Award a contract to Atlas Heating and Air Conditioning to replace furnaces at Eagle and Parrot Villages for \$96,880, plus an additional 10 percent of that amount for any needed change orders, for an amount not to exceed \$106,568; and
2. Authorize the Executive Director to execute the contract.

Respectfully submitted,



Michael T. Pucci
Executive Director

MTP:ED

u:\Commission Reports\furnace replace contract



Housing Authority of the City of Alameda

701 Atlantic Avenue - Alameda, California 94501-2161 - Tel: (510) 747-4300 - Fax: (510) 522-7848 - TDD: (510) 522-8467

Date: June 28, 2005

To: Honorable Chair and Members
of the Board of Commissioners

From: William C. Norton
Acting Chief Executive Officer

RE: Budget Revision for the Fiscal Year FY2006

Background:

On April 6, 2004, the Board of Commissioners approved the Housing Authority's budget for the two fiscal years from July 1, 2004, to June 30, 2006. Federal funding cuts had a severe negative impact on the FY2005 budget. In July 2004, a budget revision was therefore proposed and passed to reflect the changing Federal funding circumstances and its influence on fiscal operations.

On April 5, 2005, the Board of Commissioners approved the final budget revision for the fiscal year ending June 30, 2005. It is now time to revise the fiscal year 2006 budget to reflect the updated information.

Discussion:

The Housing Authority's budget is consolidated into six funds. Exhibit A is the proposed budget for July 1, 2005 to June 30, 2006. The proposed FY 2006 budget totals \$27,648,112, which is \$535,819 less than the previously approved budget.

Several changes have taken place since the approval of the fiscal 2006 budget back in April 2004. The Housing Authority has completed its refinancing of Parrot Village and Eagle Village and paid off the mortgage on China Clipper Plaza. The Housing Authority now has better information on what the fiscal 2006 Federal funding will be for the Section 8 housing choice voucher (HCV) program.

The Housing Authority also opted out of the Section 8 project based assistance program at Parrot Village and received 50 new Section 8 vouchers from HUD to replace the project based assistance. The budget revision also adds Capital Expenditures for Independence Plaza and our Owned properties. Finally, this proposed budget revision adds Extraordinary Maintenance Projects (EMPs) to the budget with resources provided through the bond issuance.

The refinancing of Parrot Village and Eagle Village has accomplished what it was intended to achieve. Annual debt service costs have been reduced by over \$200,000 per year. At the same time, the Authority is able to add \$950,000 in new resources.

proceeds to offset a major portion of the Authority's fiscal 2006 proposed EMP expenses. The refinancing has also eliminated the debt on China Clipper Plaza. The new bond issuance is a variable rate bond, which is anticipated to average 2.5% interest in fiscal 2006. However, a 3.5% interest rate factor was used to allow a reserve for possible rate fluctuations in fiscal year 2006. There also are additional fixed fees paid to Fannie Mae and the loan servicer (ARCS), which will add another 1.2% to the full cost of funds making the overall rate approximately 4.7%. Due to reporting requirements by Fannie Mae and the loan servicer, ARCS, the Housing Authority has changed the budget format by removing Eagle Village from the Housing Authority Owned fund group and repositioning it into the newly aligned Parrot Village and Eagle Village fund group. This is in order to provide Fannie Mae and ARCS with separate financial statements for those two complexes.

The impact on the fiscal year 2006 budget was to add an additional \$250,000 in Section 8 housing assistance payments (HAP) subsidy to the Parrot Village property. The Section 8 administrative fee line item includes additional revenue of \$44,000 for the 50 new vouchers used to replace the old project based subsidy. The opting out will also reduce the administrative burden associated with a project-based subsidy.

The amount of Federal funding for the Section 8 HCV program is now known through December 31, 2005. Many new changes continue to be discussed in Washington but will not come into play until January 1, 2006, at the earliest. Therefore, Section 8 budget projections have been made on information that is presently available and, when Congress passes HUD's budget, any necessary budgetary changes will be made later in the fiscal year. The Housing Authority reduced its Section 8 (HAP) subsidy by over \$645,000 from the previously approved budget. All the changes made by the Housing Authority in the last 12 months will permit full leasing through December 31, 2005. Between now and December 31, 2005, the Housing Authority expects to hear more specific information regarding renewal funding for the Federal HAP funding year which now runs from January to December.

The Housing Authority has added \$11,000 for additional fire extinguishers for individual units to the Capital Expenditures budget. The cost for Independence Plaza is \$7,205 and for Owned properties is \$3,795. Currently fire extinguishers are only in the common areas and not in the individual units.

The Board of Commissioners has already approved an additional \$811,475 in EMPs with the bond issuance for Parrot Village and Eagle Village to make up for deferred repairs and improvements from prior years. The funding source for these improvements comes from bond resources. A detailed schedule of the proposed improvements is attached to this report. This schedule also reflects the addition of one EMP for Parrot Village (PV8-06) to resurface the parking lots and basketball courts. The cost is based on actual bids obtained for this project. An EMP has been moved from FY2005 to FY2006 for \$150,000 to Independence Plaza to build the new parking area, which will provide 20 new parking spaces. Esperanza will expand its EMP for kitchen and bath cabinets to \$144,540 from previously approved \$61,200. Total EMPs were increased from the previous budget of \$1,242,925 to \$1,354,315 in the current budget proposal.

Other significant operational changes that impact budget line items that have changed since the previously approved budget are: ACEA salary adjustments, interest income, sundry cost, contract maintenance cost and tenant accounts receivable collection losses. Salaries have been adjusted to reflect the City's approval of the ACEA union contract, which provided for a 2% salary increase effective July 1, 2005. The management contract has not yet been approved so management salaries are frozen at the fiscal year 2005 pay scale.

Interest rates continue to be relatively low and the Housing Authority has budgeted interest income accordingly. Due to the Section 8 crisis last year, the Housing Authority has made significant reductions in sundry administrative cost and have continued that lower level of expenditure into the 2006 budget. The original budget included out-of-state training. This budget revision proposes an update to the list of training locations. The list has been refined to eliminate some conferences and workshops. The following is the updated list of out-of-state travel anticipated in FY2006:

- National NAHRO Conference, Chicago – one Commissioner, one staff
- Fall Regional NAHRO Conference, Incline Village – two Commissioners, two staff
- NAHRO Legislative Conference, Washington, D.C. – one Commissioner, one staff
- Housing & Development Law Institute Conference, Wash., D.C. – one staff
- Housing Finance Workshop – one staff
- HUD or other Housing Workshops – up to five staff

The Housing Finance Workshop is generally held in either California or Nevada; the location has yet to be determined. HUD and other Housing Workshops may be held in California or other locations yet to be determined. This budget would authorize travel outside of California only if the workshops are not available locally.

Budgeted contract maintenance cost is increased by \$330,875 due to higher costs for trash removal, painting, unit turnover floor covering cost, as well as a few immediate repairs that the mortgage company required for Parrot Village and Eagle Village. Collection losses have increased by \$20,940 to reflect historic account write-off patterns. While \$28,400 is a lot of money, it still represents less than 1% of gross tenant scheduled rents billed.

Fiscal Impact:

The previously approved budget for fiscal year 2006 showed a surplus of \$254,975 while the current proposed budget revision shows a surplus of \$430,167. Operating surplus's add to the Housing Authority's accumulated operating reserve. The operating loss (or deficit) for the Housing Authority's General Fund will be funded from operating reserves and the development fund. The operating loss for Esperanza will be funded from operating reserves while the deficit for Independence Plaza will be funded from replacement reserves.

Alameda Municipal Code /Policy Document Reference:

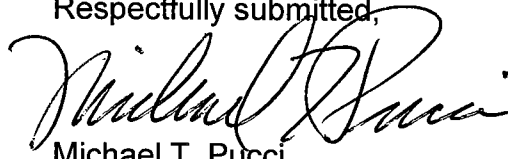
Not applicable.

Recommendation:

The Housing Commission and Acting Chief Executive Officer recommend adoption of:

1. The budget revision for FY2006;
2. The resolution for the Conventional Low-Rent Housing Program No. CA062 Esperanza).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael T. Pucci". The signature is fluid and cursive, with the first name "Michael" and last name "Pucci" clearly distinguishable.

Michael T. Pucci
Executive Director

MTP: AJO
Attachments Proposed Budget Revision
 and EMP Schedule

Housing Authority of the City of Alameda
Proposed Budget Revision
For the Fiscal Year Ending June 30, 2006

Budget Line Items	General Fund		Esperanza		Parrot & Eagle Village		HA Owned		Independence Plaza		Section 8 Voucher		Total All Programs	
	Approved 2006	Proposed 2006	Approved 2006	Proposed 2006	Approved 2006	Proposed 2006	Approved 2006	Proposed 2006	Approved 2006	Proposed 2006	Approved 2006	Proposed 2006	Approved 2006	Proposed 2006
OPERATING INCOME:														
HAP/Operating Subsidy	433,209	416,148	128,637	97,165	958,552	1,200,408	1,085,520	1,016,676	489,342	19,599,165	18,945,576	22,747,799	22,196,787	
Rents	0	0	571,440	592,474	447,585	445,404	745,691	728,472	1,209,096	0	0	2,985,310	2,954,412	
Administrative Fees	64,535	36,154	0	0	811,475	1,001,345	0	3,150	22,800	1,420,718	1,473,191	1,485,253	1,509,345	
PV & EV Bond Funds	15,914	4,000	12,731	3,220	3,183	330	42,745	11,980	12,731	26,000	4,700	811,475	1,047,075	
Interest	5,210	13,000	245,000	259,820	3,922	7,680	10,560	40,380	21,330	13,100	7,520	113,303	20,930	
Other Income												294,766	349,730	
TOTAL INCOME	518,868	469,302	978,197	947,370	2,219,717	2,655,167	1,884,516	1,800,658	1,743,968	21,058,983	20,430,987	28,437,906	28,078,279	
OPERATING EXPENSES:														
ADMINISTRATIVE:														
Total Admin. Salaries	31,033	31,726	123,987	141,369	139,575	145,701	207,642	191,755	174,073	832,043	865,184	1,525,735	1,531,030	
Legal	0	0	6,180	8,371	4,550	4,080	5,995	12,770	4,966	20,688	11,030	7,460	41,520	
Sundry	0	0	48,291	63,048	56,115	45,458	149,344	104,848	77,231	202,536	123,713	548,264	380,150	
TOTAL	31,033	31,726	178,458	212,788	200,240	195,239	362,981	309,373	256,260	1,055,267	999,926	2,118,569	1,952,700	
TENANT SERVICES														
Salaries	1,656	0	16,155	21,807	7,847	5,520	27,643	20,214	19,305	70,282	0	158,484	61,194	
Tenant Activities	0	0	32,150	30,000	100	100	100	100	100	100	100	30,400	32,550	
TOTAL	1,656	0	48,305	51,807	7,947	5,620	27,743	20,314	19,405	70,382	100	188,884	93,744	
UTILITIES:														
Water & Sewer	0	0	96,150	78,170	70,350	71,595	61,799	76,450	67,620	4,625	350	282,564	301,925	
Electricity	0	0	14,130	13,359	12,715	14,280	38,662	40,030	43,744	552	7,320	109,032	115,960	
Gas	0	0	2,370	2,368	489	489	28,140	29,870	19,900	876	430	17,330	50,489	
TOTAL	0	0	112,650	93,897	83,554	86,364	128,601	146,350	131,264	6,053	8,100	443,369	468,374	
MAINTENANCE:														
Salaries	4,204	3,641	136,229	154,733	249,937	256,745	234,193	233,409	200,090	3,494	2,816	846,651	813,265	
Materials	0	0	32,750	31,249	30,833	37,210	49,755	40,140	35,849	4,260	4,260	148,828	153,960	
Contract Costs	0	0	246,915	156,003	175,425	216,065	115,159	304,656	196,596	201,718	15,720	654,299	985,074	
TOTAL	4,204	3,641	415,894	341,985	456,195	510,020	399,107	578,205	432,535	15,752	22,796	1,649,778	1,952,300	
GENERAL:														
Police Services	0	0	71,060	71,060	41,420	41,420	55,670	55,670	2,850	19,000	19,000	190,000	190,000	
Insurance	0	2,459	15,688	24,154	31,816	44,587	18,779	16,228	60,578	34,354	7,059	142,032	146,598	
Claims Account	15,000	15,450	0	0	0	0	0	0	0	0	0	15,000	15,450	
Employee Benefits	9,434	10,875	84,984	80,643	86,039	125,449	157,121	136,954	114,213	227,601	266,910	675,051	739,688	
Collection Losses	0	0	3,278	3,278	1,093	13,600	2,652	2,650	400	0	0	7,460	28,400	
TOTAL	24,434	28,784	183,482	179,135	160,568	225,056	234,222	211,501	178,344	280,955	292,969	1,029,543	1,120,136	
TOTAL OPER. EXPENSES	61,327	64,151	938,789	879,612	908,304	1,022,299	1,152,654	1,265,743	972,382	1,428,409	1,323,891	5,430,143	5,587,254	
MORTGAGE/HAP/RESERVES														
HAP	409,000	416,148	0	0	0	0	0	0	0	19,599,165	18,945,576	20,008,165	19,361,724	
Mortgage	0	0	0	0	501,519	404,531	113,721	57,639	680,460	0	0	1,345,240	1,142,630	
Replacement Reserve(Equip.)	1,200	1,200	2,200	2,200	0	0	5,600	5,600	5,000	4,000	0	18,000	14,000	
Replacement Reserve(Bld.)	10,000	10,000	0	0	26,485	32,196	47,273	61,973	44,700	0	0	128,458	153,189	
TOTAL	420,200	427,348	2,200	2,200	528,004	436,727	166,594	125,212	734,480	19,603,165	18,945,576	21,499,863	20,671,543	
CAPITAL EXPENSES:														
Replacement Equipment	0	0	0	0	0	0	0	0	0	0	0	0	4,000	
Additions	0	0	0	0	0	0	0	3,795	7,205	0	4,000	0	11,000	
TOTAL	0	0	0	0	0	0	0	3,795	7,205	0	4,000	0	15,000	
OTHER EXPENSES:														
Extraordinary Maint	95,250	0	182,540	74,400	811,475	982,475	46,500	0	189,300	0	0	1,242,925	1,354,315	
Pre-development/Admin costs	10,000	20,000	0	0	0	0	0	0	0	0	0	10,000	20,000	
TOTAL	105,250	20,000	182,540	74,400	811,475	982,475	46,500	0	189,300	0	0	1,252,925	1,374,315	
TOTAL EXPENSES	586,777	511,499	1,123,529	956,212	2,247,783	2,441,501	1,365,748	1,394,750	1,903,367	21,031,574	20,273,467	28,182,931	27,648,112	
TRANSFERS (IN/OUT)	(67,910)	(42,197)	(145,332)	(8,842)	(28,067)	213,666	518,768	405,908	(159,399)	27,409	157,520	254,975	430,167	

PROPOSED SCHEDULE OF CAPITAL EXPENDITURES
FY2005-2006

REPLACEMENT EQUIPMENT

DESCRIPTION	FY 2004- FY2005	ESPER- ANZA	PARROT & EAGLE VILLAGE	HA- OWNED	IND. PLAZA	SECT. 8	FY2006 TOTAL
None							
TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

ADDITIONAL EQUIPMENT

DESCRIPTION	FY 2004- FY2006	ESPER- ANZA	PARROT & EAGLE VILLAGE	HA- OWNED	IND. PLAZA	SECT. 8	FY2006 TOTAL
Fire Extinguishers for Units at Senior Condos, Anne B. Diamant Plaza and Independence Plaza				\$ 3,795	\$ 7,205		\$ 11,000
TOTAL	\$ -	\$ -	\$ -	\$ 3,795	\$ 7,205	\$ -	\$ 11,000

SCHEDULE OF EXTRAORDINARY MAINTENANCE PROJECTS FOR FY2006
REV. #1 APPROVED AND PROPOSED REV. #2

		APPROVED FY2006	PROPOSED REVISION
HOUSING AUTHORITY GENERAL FUND			
GF1-06	Replace carpeting in Office at 701 Atlantic Ave.	\$ 40,250	\$ -
GF2-06	Overhaul HVAC system in Office at 701 Atlantic Ave.	40,000	\$ -
GF3-06	Replace flat portion of roof at Office at 701 Atlantic Ave	15,000	\$ -
TOTAL		\$ 95,250	\$ -
ESPERANZA			
ESP1-06	Replace approximately 13 toilets	\$ 3,200	\$ -
ESP2-06	Replace kitchen and bath cabinets, replace countertops (and sinks as needed) in about 15 units	61,200	144,540
ESP3-06	Replace bathroom vanity and sink in about 15 units	10,000	-
ESP4-05	Install gate valves for water shut off	-	18,000
ESP5-05	Install sewer cleanouts	-	20,000
TOTAL		\$ 74,400	\$ 182,540
EAGLE VILLAGE AND PARROT VILLAGE			
	Unchanged projects	\$ 635,875	\$ 635,875
EV3-06*	Repair/seal parking lots and basketball courts	16,600	53,000
EV4-06*	Replace front and rear doors, as needed; replace hardware	45,000	20,000
EV5-06*	Replace roof coverings all remaining buildings (20)	72,000	90,000
EV9-06*	Replace kitchen/bath cabinets and countertops (8)	-	65,600
PV5-06*	Replace roof coverings all remaining buildings (17)	42,000	53,000
PV8-06*	Repair/seal parking lots and basketball courts	-	65,000
TOTAL		\$ 811,475	\$ 982,475
HOUSING AUTHORITY-OWNED			
ABD1-06	Replace wall and base cabinets in about 10 units	\$ 27,300	\$ -
RV1-06	Replace wall furnaces/central units in about 8 units	11,500	-
CC1-06	Replace tub surrounds in about 5 units	7,700	-
TOTAL		\$ 46,500	\$ -
INDEPENDENCE PLAZA			
	Unchanged projects	\$ 39,300	\$ 39,300
IP3-06	Paint exterior of three buildings	176,000	-
IP3-06	Build new parking area for 20 cars	-	150,000
TOTAL		\$ 215,300	\$ 189,300
GRAND TOTAL		\$ 1,242,925	\$ 1,354,315

* Cost covered by refinancing.

PHA/IHA Board Resolution

Approving Operating Budget or Calculation of
Performance Funding System Operating Subsidy

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing

OMB Approval No. 2577-0026 (Exp. 6/30/2001)

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

This information is required by Section 6(c)(4) of the U.S. Housing Act of 1937. The information is the operating budget for the low-income housing program and provides a summary of proposed/budgeted receipts and expenditures, approval of budgeted receipts and expenditures, and justification of certain specified amounts. HUD reviews the information to determine if the operating plan adopted by the PHA and the amounts are reasonable and that the PHA is in compliance with procedures prescribed by HUD. Responses are required to obtain benefits. This information does not lend itself to confidentiality.

Acting on behalf of the Board of Commissioners of the below-named Public Housing Agency (PHA)/Indian Housing Authority (IHA), as its Chairman, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the Board's approval of (check one or more as applicable):

(date)

- ☐ Operating Budget Submitted on: _____
- ☒ Operating Budget Revision Submitted on: July 5, 2005
- ☐ Calculation of Performance Funding System Submitted on: _____
- ☐ Revised Calculation of Performance Funding System Submitted on: _____

I certify on behalf of the: (PHA/IHA Name) Housing Authority of the City of Alameda
that:

1. All regulatory and statutory requirements have been met;
2. The PHA has sufficient operating reserves to meet the working capital needs of its developments;
3. Proposed budget expenditures are necessary in the efficient and economical operation of the housing for the purpose of serving low-income residents;
4. The budget indicates a source of funds adequate to cover all proposed expenditures;
5. The calculation of eligibility for Federal funding is in accordance with the provisions of the regulations;
6. All proposed rental charges and expenditures will be consistent with provisions of law;
7. The PHA/IHA will comply with the wage rate requirements under 24 CFR 968.110(e) and (f) or 24 CFR 905.120(c) and (d);
8. The PHA/IHA will comply with the requirements for access to records and audits under 24 CFR 968.110(i) or 24 CFR 905.120(g); and
9. The PHA/IHA will comply with the requirements for the reexamination of family income and composition under 24 CFR 960.209, 990.115 and 905.315.

I hereby certify that all the information stated within, as well as any information provided in the accompaniment herewith, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Board Chairman's Name (type) Beverly Johnson, Chair	Signature	Date
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CITY OF ALAMEDA
Memorandum

To: Honorable Mayor and
Councilmembers

From: William C. Norton
Acting City Manager


Date: June 23, 2005

Re: New Main Library Project Update

Attached to this memorandum is the July 1, 2005, Library Construction Report.

Respectfully submitted,

William C. Norton
Acting City Manager

By: 
Susan Hardie
Library Director

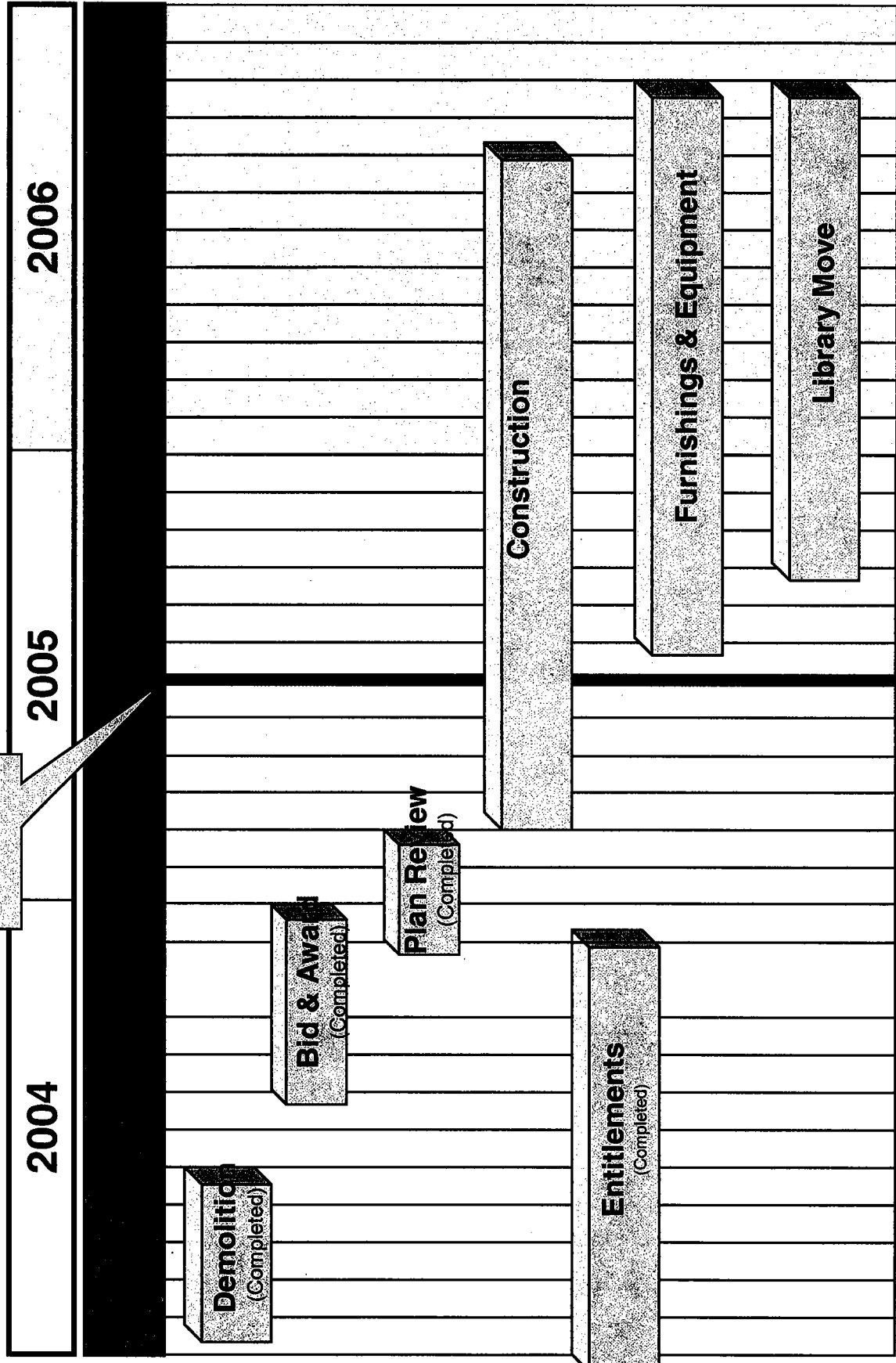
Attachment

Library Construction Report

July 1, 2005

Library Project Timeline

Status as of
July 1, 2005



Construction

- The Library webcam will operate throughout the project. It is available on the Library's and the City's websites.
- Notice to Proceed was issued on March 14, with substantial completion scheduled for September 5, 2006.
- Change order #1 (reinstating LEED, adding consolidated fill and glass stair baluster) was finally executed on June 14th.
- Under-slab electrical was completed on June 15th.
- Foundation footing excavation, consolidated fill placement and concrete pour was completed June 22.
- The slab on grade for grid lines A through G was completed on June 16th.
- The final slab on grade for grid lines H through L was completed on June 24th.
- First floor walls are projected to be completed by mid-August
- Structural steel is scheduled to arrive on August 9th.
- The structure is scheduled to be weathertight by December, 2005.
- The project remains on schedule.

Furnishings and Equipment Procurement

- Planning process for FF&E begins August 2005.

Library Move

- Planning process for move begins October 2005.

Library Opening

- The opening of the Main Library is tentatively scheduled for October 2006.

Budget

- The budget report, including supplemental funding sources, is attached.

Budget for Alameda Free Library - New Main Library Project
Inception to date through the month of: May 2005

Sources of Budgeted Funds	Budget
State Grant	\$15,487,952.00
Measure O	8,000,000.00
Contributions	10,000.00
Supplemental Funding:	
Interest Earned on Measure O Funds	160,000.00
Stafford Bequest	745,297.00
Redevelopment Funding	2,000,000.00
Additional Measure O Funds	670,000.00
Alameda County Waste Management Grant	75,000.00
Recycled Content Grant from Public Works	20,000.00
Sources Subtotal:	27,168,249.00
Expenditures to date:	4,616,159.00
Balance Available:	22,552,090.00
Change Orders:	
Total contingency	1,740,000.00
Change orders to date	0.00
Current change order ¹	(146,796.00)
Revised contingency amount	1,593,204.00

¹Up to \$95,000 in grant funding will be used to offset this change order

UNAPPROVED MINUTES
MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY - - - JUNE 14, 2005 - - - 5:30 P.M.

Acting Mayor Gilmore convened the Special Meeting at 5:40 p.m.

Roll Call - Present: Councilmembers Daysog, deHaan, Gilmore,
Matarrese, and Mayor Johnson - 5.

Note: Mayor Johnson was present via teleconference from The Hilton, 720 S. Michigan Avenue, Chicago, IL, 60605.

Absent: None.

The Special Meeting was adjourned to Closed Session to consider:

(05-) Public Employment; Title: City Manager.

Following the Closed Session, the Special Meeting was reconvened and Acting Mayor Gilmore announced that the Council discussed public employment of the City Manager.

Adjournment

There being no further business, Acting Mayor Gilmore adjourned the Special Meeting at 8:10 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The Agenda for this meeting was posted in accordance with the Brown Act.

UNAPPROVED MINUTES
MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -JUNE 21, 2005- -6:00 P.M.

Mayor Johnson convened the special meeting at 6:05 p.m.

Roll Call - Present: Councilmembers Daysog, deHaan, Gilmore,
Matarrese and Mayor Johnson - 5.

Absent: None.

Agenda Items

(05-____) Adjournment to closed session to consider: Public
Employment; Title: City Manager

Following the closed session, Mayor Johnson announced that the City
Council discussed selection of the City Manager.

(05-____) Recommendation to approve Agreement Appointing Debra
Kurita as City Manager.

Councilmember Matarrese moved approval of the Agreement appointing
Debra Kurita.

Vice Mayor Gilmore seconded the motion, which carried by unanimous
voice vote - 5.

Adjournment

There being no further business, Mayor Johnson adjourned the
special meeting at 6:29 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown
Act.

UNAPPROVED MINUTES
MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- - JUNE 21, 2005- -6:40 P.M.

Mayor Johnson convened the special meeting at 6:50 p.m.

Roll Call - Present: Councilmembers Daysog, deHaan, Gilmore,
Matarrese and Mayor Johnson - 5.

Absent: None.

The special meeting was adjourned to closed session to consider:

(05-) Public Employee Performance Evaluation; Title: City Attorney.

Following the closed session, the special meeting was reconvened and Mayor Johnson announced that the Council discussed the performance of the City Attorney.

Adjournment

There being no further business, Mayor Johnson adjourned the special meeting at 7:40 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

UNAPPROVED MINUTES

MINUTES OF THE REGULAR CITY COUNCIL MEETING TUESDAY- -JUNE 21, 2005- -7:30 P.M.

Mayor Johnson convened the regular meeting at 8:05 p.m.

Roll Call - Present: Councilmembers Daysog, deHaan, Gilmore, Matarrese, and Mayor Johnson - 5.

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(05-____) Proclamation recognizing Alameda Reads 20th Anniversary of formal literacy service to adults.

Mayor Johnson read the proclamation and presented it to Jordona Elderts, Alameda Adult Literacy Program Director.

Ms. Elderts thanked the Council for the proclamation.

CONSENT CALENDAR

Councilmember Matarrese moved approval of the Consent Calendar.

Councilmember Daysog seconded the motion, which carried by unanimous voice vote - 5.

[Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*05-____) Minutes of the Special City Council Meeting held on June 1, 2005; and Special and Regular City Council Meetings held on June 7, 2005. Approved.

(*05-____) Ratified bills in the amount of 2,944,635.27.

(*05-____) Recommendation to award Contract for Legal Advertising for Fiscal Year 2005-06. Accepted.

(*05-____) Recommendation to amend the Construction Contract with Golden Bay Construction Inc. for the Webster Renaissance Project, No. P.W. 07-02-07 in the amount of \$50,000 using

Community Development Block Grant (CDBG) Funds for the purchase and installation of bus shelters. Accepted.

(*05-____) Resolution No. 13854, "Recommending the Inclusion of Projects in the Alameda Countywide Bicycle Plan." Adopted.

REGULAR AGENDA ITEMS

(05-____) Resolution No. 13855, "Appointing Peter W. Holmes as a Member of the Public Utilities Board." [Partial term expiring June 30, 2008] Adopted.

(05-____ A) Resolution No. 13856, "Appointing John R. McCahan as a Member of the Public Utilities Board." Adopted.

Councilmember Daysog moved adoption of the resolutions.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote - 5.

The City Clerk administered the oath and presented certificates of appointment to the Public Utilities Board members.

(05-____) Introduction of Ordinance Amending the Alameda Municipal Code to Change the Name of the Public Art Advisory Committee to Public Art Commission, Transfer Reporting from Recreation and Park Commission to City Council, and Transfer Staffing from the Recreation and Park Department to the Planning and Building Department by Amending Subsections 30-65.3 (Contribution Requirements), 30-65.4 (Public Art), 30-65.5 (Alameda Public Art Fund), 30-65.7 (Public Art Advisory Committee), 30-65.8 (Application and Approval Procedures for Placing Public Art on Private Property) , 30-65.10 (Guidelines for Approval), and 30-65.11 (Appeal to the City Council) of Section 30-65 (Public Art in New Commercial, Industrial, Residential and Municipal Construction). Introduced.

Richard Nevlin, Alameda, stated that changing the name of the Public Art Advisory Committee to the Public Art Commission would involve increased responsibility; suggested that the duties be reviewed.

Vice Mayor Gilmore moved introduction of the ordinance.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote - 5.

(05-____) Public Hearing to consider an Appeal of the Historical Advisory Board's approval of a Landscaping Plan for planting two Coast Live Oak trees on the vacant property at 301 Spruce Street. The submittal of a Landscaping Plan, as part of new development proposals, was required by the Historical Advisory Board as a condition for the removal of one Coast Live Oak tree in 2001. The site is located at 301 Spruce Street within the R-4 Neighborhood Residential Zoning District. Applicant: Bill Wong for Hai Ky Lam. Appellant: Patrick Lynch and Jeanne Nader; and

(05-____ A) Resolution No. 13857, "Upholding the Historical Advisory Board's Approval of a Landscaping Plan for Planting Two Coast Live Oak Trees on the Vacant Property at 301 Spruce Street." Adopted.

Mayor Johnson opened the public portion of the Hearing.

Proponent (In Favor of Appeal):

Patrick Lynch, Appellant.

Opponents (Opposed to Appeal):

Joanne Lam, Applicant; Ivan Chiu, Bill Wong Engineering & Design; Christopher Bowen, Project Arborist.

There being no further speakers, Mayor Johnson closed the public portion of the Hearing.

Councilmember Matarrese inquired what percentage of the composite sample came from the piles of fill versus the areas under the drip line of the tree, to which Mr. Bowen responded about half of the soil was from the piles.

Councilmember Daysog noted that the Appellant stated that the laboratory scientist was not accredited; inquired to what extent the matter would be an issue.

Mr. Bowen stated that the laboratory would supply the Title 22 limits which include heavy metals; the laboratory is reputable and is recommended in the arborist field.

Councilmember Daysog inquired how to address the concern that the laboratory is not accredited to perform Title 22 soil testing.

The Acting Planning Director stated that he had no knowledge of

the issue; the Planning and Building Department was asked to test the soil to see if the soil was safe for the trees.

Mayor Johnson inquired whether Title 22 related to safety for trees.

Mr. Bowen responded that he was advised that Title 22 addressed toxicity of materials in the soil; he was asked to find out if the trees would be harmed by anything in the soil; the soil from the fill was tested as well as the soil around the trees.

Councilmember deHaan inquired whether soil would be removed from the site during construction, to which the Acting Planning Director responded in the affirmative.

Councilmember deHaan inquired whether the pile of dumped soil would be removed, to which the Acting Planning Director responded that most of the pile would be redistributed, if not removed from the site.

Councilmember deHaan stated that the soil should be analyzed for the health of the trees and to see if there was dumping of hazardous soil; there is a concern with mixing the soil.

The Planner III stated that Title 22 specifically addresses environmental hazards and hazardous waste materials for the general environment.

Councilmember Matarrese stated that a licensed arborist is looking at the health and protection of the trees; the Historic Advisory Board has a solution to mitigate the removal of trees; a composite soil sample has been collected that is appropriate for the future health of the trees; the laboratory's certification to determine whether the soil dumped was toxic is questionable; the owner should be responsible for taking the soil away if the levels exceed the same standards that are applied at Alameda Point for building residential units.

Vice Mayor Gilmore noted that the Planner III stated that Title 22 covers hazardous waste in situations beyond agriculture; the report states that the mineral content of the soil does not exceed Title 22 limits.

Councilmember Matarrese stated there is a question about whether the correct method was used.

Mayor Johnson stated the project could move forward with a

condition of staff confirmation.

Councilmember deHaan stated it is important to ensure that the dumped soil is analyzed and moved to the proper location and that the project should continue.

Councilmember Daysog provided a brief background on the history of the trees at the site.

Councilmember Matarrese moved adoption of the resolution with conditions to require appropriate analysis of the soil deposited to ensure it meets residential safety, to require the owner to remove the soil if levels exceed levels necessary for residential use, and that staff oversee the project.

Councilmember deHaan requested an Off Agenda report on the matter.

Councilmember Daysog seconded the motion, which carried by unanimous voice vote - 5.

(05-____) Public Hearing to consider adoption of Resolution No. 13858, "Approving Engineer's Report, Confirming Diagram and Assessment and Ordering Levy of Assessments, Island City Landscaping and Lighting District 84-2." Adopted.

Councilmember Daysog moved adoption of the resolution.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote - 5.

(05-____) Public Hearing to consider adoption of Resolution No. 13859, "Approving Engineer's Report, Confirming Diagram and Assessment and Ordering Levy of Assessments, Maintenance Assessment District 01-01 (Marina Cove)." Adopted.

Councilmember Matarrese moved adoption of the resolution.

Councilmember deHaan seconded the motion, which carried by unanimous voice vote - 5.

(05-____) Public Hearing to consider adoption of Resolution No. 13860, "Authorizing Collection of Delinquent Integrated Waste Management Accounts by Means of the Property Tax Bills." Adopted.

Mayor Johnson opened the public portion of the Hearing.

Opponents: Nancy Schlegel, Alameda; Leo Beaulieu, Alameda; Pamela Jones, Alameda.

There being no further speakers, Mayor Johnson closed the public portion of the Hearing.

Following Nancy Schlegel's comments, Mayor Johnson suggested that Ms. Schlegel discuss her garbage problem with the Acting City Manager.

Councilmember deHaan stated that he was concerned that Ms. Schlegel's garbage problem had been on going for two years.

Councilmember Matarrese stated that space allotted for recycling bins is the Home Owner Association's responsibility; the City can address the lack of response and communication between the contractor and the City.

Councilmember deHaan inquired whether Ms. Schlegel received any notification.

Ms. Schlegel responded that she has returned unopened statements and left messages but has not been called back.

The Public Works Director stated notification is via the bill; a late notice is sent 45 days after a bill has not been paid; there have been eight notifications over two years based upon information provided by Alameda County Industries (ACI).

Following speaker Leo Beaulieu, the Public Works Director stated the integrated waste management rate pays for all services; residents can use one or all of the services; there are no longer exemptions for green waste; the contract with ACI allows for vacation exemptions; it is necessary to call ahead of time to stop and start service.

Mayor Johnson suggested that Mr. Beaulieu discuss the matter with the Public Works Director.

The Public Works Director stated that the Council could make a motion to adopt the resolution and give staff two weeks to resolve the issues; if the issues are not resolved, a lien would be placed on the properties.

The Acting City Manager requested that the two written communications presented to Council tonight be included with the

speakers' requests for staff review.

Councilmember deHaan stated that there needs to be better communication regarding the new contract requirements; inquired whether collection through property taxes has been done before.

The Public Works Director responded that collection of payment through property taxes has not been done in the seven years he has been with the City.

Councilmember deHaan inquired whether it is the City's responsibility to determine how outstanding bills are resolved.

The Public Works Director responded in the affirmative; stated that delinquent accounts would be included in the next rate review in a year and a half; any garbage fees that are not collected is passed on to the rate payers; rates would be increased because the City is required to compensate ACI for the service.

Mayor Johnson stated that the problem is that everyone who pays their bill subsidizes those who do not.

The Public Works Director stated that 23 residents [on the list included in the staff report] have paid.

The Acting City Manager suggested that the Council adopt the Resolution with direction for staff to resolve issues of concern raised by residents tonight and provide a status on said claims within two weeks.

Councilmember Matarrese moved adoption of the resolution, including the Acting City Manager's suggestion [to direct staff to resolve issues of concern and provide a status on said claims within two weeks].

Vice Mayor Gilmore seconded the motion.

Under discussion, Councilmember deHaan stated that individuals appeared tonight or e-mailed the Council to contest their bill; inquired whether the Council would allow individuals who have not responded to contest their bills.

The Acting City Manager responded that everyone had the right to either provide something in writing or come to the Hearing to respond; stated that he does not see any way for other individuals to be accommodated now.

On the call for the question, the motion carried by unanimous voice vote - 5.

(05-) Recommendation to authorize the Acting City Manager to execute extension of the Harbor Bay Maritime Ferry Operating Agreements for Alameda Harbor Bay Ferry Service (AHBFS) and adopt associated budget.

The Acting City Manager stated that the Agreement is an extension of an existing Agreement with Harbor Bay Maritime (HBM) to operate the AHBFS between Bay Farm Island and San Francisco; the Agreement is complicated because a good deal of the funding comes through Regional Measure 1 Funds, which are administered by the Metropolitan Transportation Commission (MTC); HBM must achieve 40% revenue through fare box collections in order to receive the funding through the City; the fare box collection has dropped in the past few years; collection was 23% last year, 31% the year before, and 32% the preceding year; MTC has notified the City that funding will no longer continue if the 40% revenue through fare box is not achieved; MTC has allowed the City an additional year; stated that the ferry was down for four months last year and the cost of fuel has practically doubled during the last two years.

Councilmember deHaan inquired whether on board labor costs was a concern.

The Acting City Manager stated that the City is not a party to negotiations between the Operator and the Union; the Union contacted the City regarding concern with a reduction in the work shift from eight hours to seven hours; eight hour work shifts will be maintained per negotiations.

The Ferry Services Manager stated that HBM and the Union have reached a contract agreement for the next year beginning July 1.

Mayor Johnson inquired where the fuel was bought, to which the Ferry Services Manager responded that the fuel for the Alameda/Oakland Ferry is purchased through Blue and Gold Fleet, bought in bulk volume, and stored at Pier 39; AHBFS has a contract with a fuel provider and is fueled at Pier 48.

Mayor Johnson inquired whether the fuel rates were comparable, to which the Ferry Services Manager responded there is a difference between 18 and 20 cents per gallon.

Mayor Johnson inquired whether HBM could fuel at Pier 39, to which the Ferry Services Manager responded that there have been discussions with Blue and Gold Fleet regarding fueling at Pier 39; insurance requirements make the possibility difficult and costs would offset any benefit; there have been discussions with the WTA regarding bulk purchases.

Councilmember Daysog inquired whether gas could be purchased ahead of time and locked in at lower prices, to which the Ferry Services Manager responded that HBM does not purchase ahead of time but that Blue and Gold Fleet does.

Councilmember Daysog inquired whether purchasing gas ahead of time would be a possibility for HBM, to which the Ferry Services Manager responded there is a question of fuel storage capability; relocating to Alameda Point is being reviewed.

Michael Torrey, Alameda, encouraged the Council to accept the staff recommendation.

Scott Hennigh, Alameda, urged acceptance of the staff recommendation; stated eliminating the 7:30 p.m. run is short sighted and will decrease ridership; suggested capital reserve funds be used to cover the cost of the 7:30 p.m. run and that the Council consider a temporary reallocation of the Measure B Funds toward advertising costs.

Mayor Johnson inquired whether there was any way to avoid eliminating the 7:30 p.m. run.

The Acting City Manager responded there would be approximately 11 to 15 riders lost with the elimination of the 7:30 p.m. run; increased ridership through marketing efforts should result in breaking even; reducing what is set aside for capital reserves is short sighted; reserves are needed for potential boat repair or replacement; stated that Measure B funds have been allocated appropriately according to ridership; MTC and WTA have been advised that the City will review the matter carefully for the next three months.

Councilmember Matarrese inquired whether there is a possibility of keeping the 7:30 p.m. run for a set period of time after the advertising to determine the effect on ridership.

The Acting City Manger responded doing so would be expensive; adding expenses makes it more difficult to meet the 40% fare box ratio.

Councilmember Daysog stated that more information is needed on the advertising strategy to properly evaluate the different scenarios.

Councilmember Matarrese stated that he is concerned with cutting the 7:30 p.m. run; riders are lost and not recovered when services are down.

Mayor Johnson inquired when the advertising would start, to which the Acting City Manager responded that some direct mail advertising has already started.

The Ferry Services Manager stated a survey was conducted in May inquiring whether commute patterns would remain the same if a 50 cent each way fare increase was implemented and the 7:30 p.m. run was eliminated; 22-23% riders indicated there would be a significant reduction in ferry usage; 50 to 60 riders per day would be needed to make up the loss in a worst case scenario; the survey indicates that the market potential exists in the primary market, which is the Harbor Bay and the Fernside Districts; tests on the secondary market, covering San Leandro and Oakland, are being conducted.

The Acting City Manager stated retaining the 7:30 p.m. run is important; a three month trial would show whether increased ridership would make up for the \$2,500 loss per month.

Lorre Zuppan stated that she has not done an analysis of the 7:30 p.m. run; tracking the success of prior campaigns is difficult; if ridership is not increased, keeping the 7:30 p.m. run presents a risk.

Councilmember Matarrese inquired whether having the 7:30 p.m. run would be better for marketing.

Ms. Zuppan responded that added features attract users.

Councilmember Matarrese stated that time is needed to allow the marketing to work and be assessed.

Vice Mayor Gilmore stated there would be more people on the 7:30 p.m. run now if the run was a desired feature; missing the target would require putting in a lot of money or not meeting the 40% fare box requirement and losing the entire ferry operation.

Councilmember Daysog inquired what the break even number of riders would be for the 7:30 p.m. run, to which Ms. Zuppan responded 22 riders.

Mayor Johnson inquired whether the Executive Director of the WTA had any thoughts on the matter.

Steve Castlebury, WTA Chief Executive Officer, stated there is uncertainty in marketing; information obtained in surveys is highly unreliable.

Mayor Johnson inquired whether there is any information on the impacts of cuts elsewhere.

Mr. Castlebury responded that the City of Larkspur did not lose as many riders as anticipated; stated ferry ridership is up compared to other services.

The Acting City Manager stated that part of the increased ferry ridership is because the economy is starting to get a little better; having the trial period in the summer might not be good because people are on vacation.

Mayor Johnson inquired about lost ridership last summer.

The Acting City Manager stated that last summer would not be a good comparison because the ferry was down for four months.

The Public Works Director corrected the break even number of riders for the 7:30 p.m. run to 36.

Councilmember deHaan stated taking one trip out per day is a major change.

Steve Brimhall, President HBM, stated the capital reserve funds do not apply against the fare box; HBM is not in a funding position.

The Ferry Services Manager stated that the City has an obligation to maintain ferry boats or pay back the grants used to acquire the boats.

The Public Works Director suggested the recommendation might be to accept the three-month trial subject to MTC's approval and reaching an agreement with HBM.

Mayor Johnson suggested conveying to MTC that the City does not

want to lose more riders by cutting service and wants to do everything possible to maintain the level of service and increase the number of riders above the current level.

Councilmember Daysog inquired whether there is any indication that the June fare box recovery is trending upwards, to which the Public Works Direction responded that he did not know.

Councilmember Daysog inquired how the ratios would be impacted by eliminating the 7:30 p.m. run, to which the Acting City Manager responded 1%.

Councilmember Matarrese stated that he is in favor of presenting the proposal to MTC; eliminated services are never recovered.

Councilmember Daysog concurred with Councilmember Matarrese.

Councilmember Matarrese stated a month-and-a-half trial period would be fine if a three-month trial period is too long.

Councilmember Matarrese moved approval of the staff recommendation with the exception of eliminating the 7:30 p.m. run contingent upon MTC allowing the City to preserve the 7:30 p.m. run for an approximate three-month trial period and agreement with HBM.

Councilmember Daysog seconded the motion, which carried by unanimous voice vote - 5.

ORAL COMMUNICATIONS, NON-AGENDA

(05-) The following speakers spoke in favor of the theatre/parking structure project: Pauline Kelley, Alameda; Debbie George, Alameda; Michael Britt, Alameda Eyes Optometry; Catherine Brewer, Alameda; Melody Marr, executive Director, Chamber of Commerce; Lorre Zuppan, Alameda; Kathy Leong, President, Chamber of Commerce; Mel Waldorf, Alameda; Robb Ratto, Park Street Business Association (PSBA) (submitted handout); Frank George, Alameda; Lars Hanson, PSBA; Kate Pryor, Alameda.

The following speakers expressed concern with the theatre/parking structure project: Bill Woodle, Alameda; Jon Spangler, Alameda; Richland Tester, Alameda; Morgan, Alameda (submitted handout); Kevin Frederick, Alameda; Deborah Overfield, Alameda; Valerie Ruma, Alameda; Ani Dimusheva, Alameda; Steph Wades, Alameda.

After Jon Spangler's comments, Councilmember Matarrese inquired whether the theatre would cost \$25 million, to which the Acting City Manager responded that the parking structure and the theatre cost is \$25 million.

Councilmember Matarrese inquired whether the theatre cost was \$9 million.

The Development Services Manager responded that the historic theatre project cost is \$9.6 million; \$10.5 million is for the 352 space parking structure; the multi screen cinema is a combination of private and public dollars; \$5.3 million has been raised privately by the developer; there is a contribution of \$2.8 million in loans; the vertical features will be put into the new theatre for an additional \$760,000; the total project cost is about \$28 million with the developer's contribution.

Councilmember Daysog requested an Off Agenda Report specifying project costs.

Councilmember deHaan stated an economic feasibility study and market study was performed in 1997; inquired whether the operations of movie theatres have changed; stated it would be prudent to review an updated market study.

Mayor Johnson noted the matter was not on the agenda and Council could not discuss the matter and could only ask questions.

After Kate Pryor's comments, Councilmember Matarrese requested a catalog on the website indicating where reports can be found regarding the theatre and parking structure; stated that the Planning Board has deferred the design review for both the parking structure and theatre.

(05-____) Will Richards, Alameda, stated that Alameda growth is inevitable; redevelopment projects should be reviewed on own merits.

(05-____) Michael John Torrey, Alameda, stated that June 25 through June 26 is the annual Amateur Radio Field Day.

(05-____) Richard Nevlin, Alameda, stated there has been no planning for temporary bus stops during the Park Street and Webster Street construction.

COUNCIL COMMUNICATIONS

(05-_____) Discussion of the proposed baseball stadium along Alameda and Oakland's shared estuary.

Councilmember Daysog requested staff birddog the proposed baseball stadium; stated the matter could be bad or good; noted there is a shared interest in the estuary and the City of Alameda should be part of the planning.

(05-_____) Consideration of Mayor's nominations for appointment to the Civil Service Board, Historical Advisory Board, Housing and Building Code Hearing and Appeals Board, Housing Commission, Library Board, Planning Board, and Social Service Human Relations Board.

Mayor Johnson nominated Nakmin Odie for reappointment to the Civil Service Board; Randal S. Miller for reappointment to the Historical Advisory Board; Edward Dependbrock for reappointment to the Housing and Building Code Hearing and Appeals Board **[remaining appointment continued]**; Nancy W. Gormley and Garnetta S. King for reappointment to the Housing Commission; Ruth K. Belikove and Alan D. Mitchell for reappointment to the Library Board; Rebecca L. Kohlstrand Parsons and Margaret McNamara for reappointment to the Planning Board; Stewart Chen, Karen Hollinger Jackson, and Cynthia Wasko for reappointment to the Social Service Human Relations Board.

ADJOURNMENT

There being no further business, Mayor Johnson adjourned the regular meeting at 10:45 p.m.

Respectfully Submitted,

Lara Weisiger
City Clerk

The Agenda for this meeting was posted in accordance with the Brown Act.

UNAPPROVED MINUTES
MINUTES OF THE SPECIAL CITY COUNCIL MEETING
THURSDAY- -JUNE 23, 2005- -6:00 P.M.

Mayor Johnson convened the special meeting at 6:00 p.m.

Roll Call - Present: Councilmembers Daysog, deHaan, Gilmore,
Matarrese and Mayor Johnson - 5.

[Note: Councilmember Matarrese arrived at 6:15
p.m.]

Absent: None.

The special meeting was adjourned to closed session to consider:

(05-____) Conference with Labor Negotiators; Agency Negotiators:
Arthur Hartinger of Meyers, Nave, Riback Silver and Wilson;
Employee: City Attorney.

Following the closed session, the special meeting was reconvened
and Mayor Johnson announced that the Council had a discussion
regarding the City Attorney.

Adjournment

There being no further business, Mayor Johnson adjourned the
special meeting at 7:00 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown
Act.

June 30, 2005

Honorable Mayor and Councilmembers:

This is to certify that the claims listed on the check register and shown below have been approved by the proper officials and, in my opinion, represent fair and just charges against the City in accordance with their respective amounts as indicated thereon.

<u>Check Numbers</u>	<u>Amount</u>
137703 - 138127	4,581,889.13
EFT 120	1,140,270.00
EFT 121	1,690,000.00

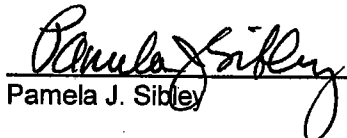
Void Checks:

136250	(8,588.88)
134370	(7,685.40)
137281	(18,461.93)

GRAND TOTAL

7,377,422.92

Respectfully submitted,


Pamela J. Sibley

Council Warrants 07/05/2005

BILLS #4-B
07/05/05

CITY OF ALAMEDA

MEMORANDUM

Date: June 21, 2005

To: Honorable Mayor and
Councilmembers

From: William C. Norton
Acting City Manager

Re: Recommendation to Adopt a Resolution for the Annual Adjustment of the Citywide
Development Impact Fee by the Construction Cost Index

BACKGROUND

On June 1, 2004, the City Council approved a resolution revising the Citywide Development Impact Fee Schedule per the Citywide Development Fee Ordinance. The categories of capital improvements covered by the Ordinance are public safety, transportation and traffic safety, parks and recreation, and public facilities.

The Citywide Development Fee (CDF) Program includes 54 separate capital improvement projects distributed among five categories for a total cost of \$99 million. Based upon the approved cost allocations, new development is responsible for 28% of the total costs. Existing development is responsible for the remaining 72%. When a project is initiated, the City is required to fund the existing development's share of the cost of the improvements. Until sufficient funds from new developments are collected and revenue is made available from existing developments to cover the cost of these large capital projects, fund balances will continue to increase.

DISCUSSION/ANALYSIS

The Ordinance requires annual review and update of the fee program. This update adjusts the fees based on the Construction Cost Index. The Engineering News Record Construction Cost Index for the San Francisco Bay Area is 1.7%. The attached resolution lists the adjusted fees. The capital improvement projects included in the program remain the same as articulated in the Alameda Citywide Development Fee Nexus Study dated January 2001, which is on file in the City Clerk's Office.

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ENVIRONMENTAL REVIEW

The ordinance and resolution amending the CDF is categorically exempt from CEQA review, per Section 15273(a)(4), because the City finds that the purpose of the fee is to obtain funds for capital projects necessary to maintain service within the City's existing service area. Individual projects included in the CDF Program will undergo CEQA review on a project-by-project basis to the extent required by State law.

BUDGET CONSIDERATION/FINANCIAL ANALYSIS

The CDF Ordinance requires the City to fund existing development's share of improvements in the program. These costs will continue to accrue until the capital projects listed within the Nexus Study are scheduled for construction as part of the City's formal Capital Improvement Program. The General Fund and grants are a few of the many sources of funding that the City may draw upon to offset existing development's share.

MUNICIPAL CODE/POLICY DOCUMENT CROSS REFERENCE

The proposed projects are consistent with the Transportation Element of the General Plan.

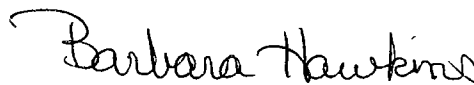
RECOMMENDATION

The City Manager recommends that the City Council, by motion, raise the Citywide Development Fee by 1.7% and adopt a resolution for the annual adjustment of the Citywide Development Impact Fee by the Construction Cost Index.

Respectfully submitted,



Matthew T. Naclerio
Public Works Director



By: Barbara Hawkins *by gc*
Supervising Civil Engineer

MTN:BH:gc

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CITY OF ALAMEDA RESOLUTION NO. _____

REVISING THE CITYWIDE DEVELOPMENT IMPACT FEE
SCHEDULE FOR THE CONSTRUCTION OF CAPITAL
FACILITIES WITHIN THE CITY OF ALAMEDA

Approved as to Form

CITY ATTORNEY

WHEREAS, the City of Alameda adopted Article 27-3 of the Alameda Municipal Code (AMC) creating and establishing the authority for imposing and charging a Citywide Development Impact Fee applicable to new residential development and new or intensified commercial and industrial development within the City to mitigate the impacts on availability and condition of public facilities caused by this development, subject to adoption of an implementing resolution and fee schedule; and

WHEREAS, it is the intent and purpose of the Citywide Development Fee to mitigate the impacts of new residential and new or intensified industrial and commercial development on traffic safety/capital replacement, parks and recreation, public facilities, public safety, and transportation as more specifically described in the projects listed in Exhibit B to the Nexus Study (on file in the City Clerk's Office); and

WHEREAS, the City Council has adopted Resolution No. 13314 pursuant to Article 27-3 of the AMC; and

WHEREAS, said resolution directed that the dollar amounts shown on the fee schedule shall be adjusted annually (on July 1 of each year) by a percentage equal to the percentage increase, if any, in the Engineering News Record (ENR) Construction Cost Index for the San Francisco Bay Area; and

WHEREAS, the City's Public Works Director has determined that the Construction Cost Index for the period covered by this update to the fee schedule is 1.7 %;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Alameda that the following fee schedule shall apply:

CITY DISTRICT

Land Use Category	West End	Northern Waterfront	Central/ East End	Bay Farm Infill
CDF Fees per Residential Unit				
SF Low	\$3,694	\$3,443	\$3,439	\$2,341
SF Med	\$3,230	\$3,029	\$3,025	\$2,148
Duplex	\$3,119	\$2,893	\$2,888	\$1,900
Work/Live	\$2,737	\$2,548	\$2,545	\$1,721
MF	\$2,872	\$2,646	\$2,642	\$1,654
CDF Fees per s.f. of Non-Residential Building Space				
General Industrial	\$3.17	\$2.69	\$2.69	\$0.67
Retail	\$4.79	\$4.08	\$4.07	\$1.00
Commercial/Office	\$4.60	\$3.93	\$3.92	\$1.06
Warehouse	\$1.83	\$1.56	\$1.56	\$0.39
Other Uses				
1. Non-transportation Fee	\$0.74 psf	\$0.74 psf	\$0.74 psf	\$0.74 psf
2. Transportation Fee (Cost per vehicle trip generated)	\$1,313	\$1,075	\$1,070	\$33

Definitions:

USE	DEFINITION and EXAMPLES
Residential Uses:	
SF Low	Are detached units of 1,800 s.f. or greater.
SF Med	Are detached units less than 1,800 s.f.
Duplex	Are two attached dwelling units.
Work/Live	Any work/live unit as per the Alameda Municipal Code. Also, generally medium density with occupied spaces averaging 1,500 s.f.
MF	This category applies to Alameda Housing Authority replacement units and houseboat units meeting the general density classification.

CDF Fees per s.f. of Bldg. Space:

General Industrial	Industrial use including heavy and light industrial uses, in which the principal purpose is manufacturing assembling, altering, finishing, dismantling, or processing of any goods or parts into finished products; and where a large area for handling and storage is required. Examples include but are not limited to, manufacturing plants; builder's supplies; industrial machinery sales and service; marine-related industries; printing plants; materials testing labs; assembly and production of goods or equipment, or craft workshop. General Industrial uses correspond to the F-1, F-2, H-4, H-6, H-7, S-3, and S-5 Building code Occupancy Classifications.
Retail	Commercial business operated for the sale of good or services to the general public. Examples of retail uses include but are not limited to, convenience markets, shopping centers, hardware stores, supermarkets, gas stations, bars, restaurants,

	and taverns. Retail uses typically correspond to Building Code Occupancy Classifications of M or OB-2, eating and drinking.
Commercial/Office	Structure used for the purpose of conducting administrative, clerical, technical, governmental, or professional activities which does not include dealing with members of the public on a direct, regular and unscheduled basis except as an ancillary activity. Examples of commercial/office uses include but are not limited to law firms, doctors, dentists or chiropractors offices (outside of hospitals), and accounting firms. Commercial/office uses typically correspond to all B building Code Occupancy Classifications, with the exception of B Eating and Drinking.
Warehouse	Businesses primarily involved in the usage and/or wholesale of bulk goods to other businesses. Examples of warehouse uses include wholesale truck warehousing, self-storage facilities, archive facilities, and unstaffed utility structures. Warehouse uses typically correspond to Bulking Code occupancy Classifications of S-1 or S-2.
Other Uses	The CDF fee for other non-residential uses will be determined by adding the product of the non-transportation (\$0.55) fee multiplied by the bulking square footage plus the CDF District cost per vehicle peak hour trip multiplied by the number of peak hour vehicle trips to be generated by the proposed use. This category applies to all uses, which do not appropriately belong in one of the other stated categories.

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in regular meeting assembled on the 5th day of July 2005, by the following vote to wit:

AYES: _____

NOES: _____

ABSENT: _____

ABSENTIONS: _____

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 5th day of July 2005.

Lara Weisiger, City Clerk
City of Alameda

CITY OF ALAMEDA RESOLUTION
COMMENDING ALAMEDA POLICE DEPARTMENT
CHIEF BURNHAM E. MATTHEWS
FOR HIS CONTRIBUTIONS TO THE CITY OF ALAMEDA

THE COUNCIL OF THE CITY OF ALAMEDA records its appreciation for the years of service faithfully rendered by CHIEF BURNHAM E. MATTHEWS for the City of Alameda; and

WHEREAS, BURNHAM E. MATTHEWS' career with the Alameda Police Department spanned from April 4, 1994, to July 7, 2005, as Chief of Police; and

WHEREAS, BURNHAM E. MATTHEWS has made significant contributions to the City of Alameda, among those being:

- Provided outstanding leadership and direction to the members of the Alameda Police Department
- Under his guidance, the Alameda Police Department expanded its reputation as a leading professional law enforcement agency
- Encouraged and achieved employee diversification throughout the Alameda Police Department
- Worked cooperatively with the business community, residents and various civic groups, on numerous issues throughout his tenure, to enhance the reputation and character of the City of Alameda
- Has been a integral member of the executive team of the City of Alameda; and

WHEREAS, BURNHAM E. MATTHEWS has been an active member of the Alameda Boys & Girls Club, Xanthos, Alameda Rotary, Fight Crime: Invest in Kids, Bay Area Sports Organizing Committee, 2012 San Francisco Olympic Bid Committee, Alameda County Police Chiefs & Sheriffs Association, California Police Chiefs Association and International Police Chiefs Association; and

WHEREAS, BURNHAM E. MATTHEWS, upon retirement, plans on spending more time with his family and taking long vacations, especially road trips on his beloved Harley; and

WHEREAS, on July 7, 2005, BURNHAM E. MATTHEWS will officially retire from his position as Chief for the City of Alameda's Police Department.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Alameda does hereby congratulate CHIEF BURNHAM E. MATTHEWS for his outstanding achievement in his service to the City of Alameda and to the profession of law enforcement.

Mayor Beverly Johnson

Vice Mayor Marie Gilmore

Councilmember Tony Daysog



Councilmember Doug deHaan

Councilmember Frank Matarrese

Reso 5-A
7-5-05

CITY OF ALAMEDA RESOLUTION NO. _____

REAPPOINTING RANDALL S. MILLER AS A MEMBER OF THE
CITY HISTORICAL ADVISORY BOARD

Approved as to Form

CITY ATTORNEY

BE IT RESOLVED by the Council of the City of Alameda that pursuant to the provisions of Article X of the Charter of the City of Alameda, and upon nomination of the Mayor, RANDALL S. MILLER is hereby reappointed to the office of member of the Historical Advisory Board of the City of Alameda for the term commencing July 1, 2005, and expiring on June 30, 2009, and to serve until his successor is appointed and qualified.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the ____ day of _____, 2005, by the following vote to wit:

AYES

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the seal of said City this ____ day of _____, 2005.

Lara Weisiger, City Clerk
City of Alameda

**Resolutions # 5-B
7-5-05**

CITY OF ALAMEDA RESOLUTION NO. _____

REAPPOINTING EDWARD DEPENBROCK AS A MEMBER OF THE
HOUSING AND BUILDING CODE HEARING AND APPEALS BOARD

BE IT RESOLVED by the Council of the City of Alameda that pursuant to Section 2-16.4 of the Alameda Municipal Code, and upon nomination of the Mayor, EDWARD DEPENBROCK is hereby reappointed to the office of member of the City Housing and Building Code Hearing and Appeals Board of the City of Alameda for the term commencing July 1, 2005 and expiring on June 30, 2009, and to serve until his successor is appointed and qualified.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the _____ day of _____, 2005, by the following vote to wit:

AYES

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the seal of said City this _____ day of _____, 2005.

Lara Weisiger, City Clerk
City of Alameda

Approved as to Form

CITY ATTORNEY

CITY OF ALAMEDA RESOLUTION NO. _____

REAPPOINTING NANCY W. GORMLEY AS A MEMBER OF
THE CITY HOUSING COMMISSION
(SENIOR TENANT SEAT)

BE IT RESOLVED, by the Council of the City of Alameda that pursuant to the provisions of Subsection 2-12.2 of the Alameda Municipal Code, and upon nomination of the Mayor, NANCY W. GORMLEY is hereby reappointed to the office of Senior Tenant seat member of the Housing Commission of the City of Alameda for the term commencing on July 1, 2005 and expiring on June 30, 2007 and to serve until her successor is appointed and qualified.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in regular meeting assembled on the ____ day of _____, 2005 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this ____ day of _____, 2005.

Lara Weisiger, City Clerk
City of Alameda

Approved as to Form
CITY ATTORNEY

CITY OF ALAMEDA RESOLUTION NO. _____

REAPPOINTING GARNETTA S. KING AS A MEMBER OF
THE CITY HOUSING COMMISSION
(MEMBER-AT-LARGE)

BE IT RESOLVED, by the Council of the City of Alameda that pursuant to the provisions of Subsection 2-12.2 of the Alameda Municipal Code, and upon nomination of the Mayor, GARNETTA S. KING is hereby reappointed to the office of Member-At-Larger seat member of the Housing Commission of the City of Alameda for the term commencing on July 1, 2005 and expiring on June 30, 2009 and to serve until her successor is appointed and qualified.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in regular meeting assembled on the _____ day of _____, 2005 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this _____ day of _____, 2005.

Lara Weisiger, City Clerk
City of Alameda

Approved as to Form


CITY ATTORNEY

CITY OF ALAMEDA RESOLUTION NO. _____

REAPPOINTING RUTH K. BELIKOVE AS A MEMBER OF THE
CITY LIBRARY BOARD

BE IT RESOLVED by the Council of the City of Alameda that pursuant to the provisions of Article X of the Charter of the City of Alameda, and upon nomination of the Mayor, RUTH K. BELIKOVE is hereby reappointed to the office of member of the Library Board of the City of Alameda for the term commencing July 1, 2005 and expiring on June 30, 2009, and to serve until her successor is appointed and qualified.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the _____ day of _____, 2005, by the following vote to wit:

AYES

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the seal of said City this _____ day of _____, 2005.

Lara Weisiger, City Clerk
City of Alameda

Approved as to Form

CITY ATTORNEY

CITY OF ALAMEDA RESOLUTION NO. _____

REAPPOINTING ALAN D. MITCHELL AS A MEMBER OF THE
CITY LIBRARY BOARD

BE IT RESOLVED by the Council of the City of Alameda that pursuant to the provisions of Article X of the Charter of the City of Alameda, and upon nomination of the Mayor, ALAN D. MITCHELL is hereby reappointed to the office of member of the Library Board of the City of Alameda for the term commencing July 1, 2005 and expiring on June 30, 2009, and to serve until his successor is appointed and qualified.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the _____ day of _____, 2005, by the following vote to wit:

AYES

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the seal of said City this _____ day of _____, 2005.

Lara Weisiger, City Clerk
City of Alameda

Approved as to Form

CITY ATTORNEY

CITY OF ALAMEDA RESOLUTION NO. _____

REAPPOINTING REBECCA L. KOHLSTRAND PARSONS AS A MEMBER OF THE
CITY PLANNING BOARD

BE IT RESOLVED by the Council of the City of Alameda that pursuant to the provisions of Article X of the Charter of the City of Alameda, and upon nomination of the Mayor, REBECCA L. KOHLSTRAND PARSONS is hereby reappointed to the office of member of the Planning Board of the City of Alameda for the term commencing July 1, 2005 and expiring on June 30, 2009 and to serve until her successor is appointed and qualified.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in regular meeting assembled on the ____ day of _____, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this ____ day of _____, 2005.

Lara Weisiger, City Clerk
City of Alameda

Approved as to Form

CITY ATTORNEY

CITY OF ALAMEDA RESOLUTION NO. _____

REAPPOINTING MARGARET McNAMARA AS A MEMBER OF THE
CITY PLANNING BOARD

BE IT RESOLVED by the Council of the City of Alameda that pursuant to the provisions of Article X of the Charter of the City of Alameda, and upon nomination of the Mayor, MARGARET McNAMARA is hereby reappointed to the office of member of the Planning Board of the City of Alameda for the term commencing July 1, 2005 and expiring on June 30, 2009 and to serve until her successor is appointed and qualified.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in regular meeting assembled on the ____ day of _____, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this ____ day of _____, 2005.

Lara Weisiger, City Clerk
City of Alameda

Approved as to Form
[Signature]
CITY ATTORNEY

CITY OF ALAMEDA RESOLUTION NO. _____

REAPPOINTING STEWART CHEN AS A MEMBER OF THE
SOCIAL SERVICE HUMAN RELATIONS BOARD

Approved as to Form
[Signature]
CITY ATTORNEY

BE IT RESOLVED by the Council of the City of Alameda that pursuant to the provisions of Article X of the Charter of the City of Alameda, and upon nomination by the Mayor, STEWART CHEN is hereby reappointed to the office of member of the Social Service Human Relations Board of the City of Alameda for the term commencing July 1, 2005 and expiring on June 30, 2009, and to serve until his successor is appointed and qualified.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in adjourned regular meeting assembled on the ____ day of _____, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this ____ day of _____, 2005.

Lara Weisiger, City Clerk
City of Alameda

CITY OF ALAMEDA RESOLUTION NO. _____

REAPPOINTING KAREN HOLLINGER JACKSON AS A MEMBER OF THE
SOCIAL SERVICE HUMAN RELATIONS BOARD

BE IT RESOLVED by the Council of the City of Alameda that pursuant to the provisions of Article X of the Charter of the City of Alameda, and upon nomination by the Mayor, KAREN HOLLINGER JACKSON is hereby reappointed to the office of member of the Social Service Human Relations Board of the City of Alameda for the term commencing July 1, 2005 and expiring on June 30, 2009, and to serve until her successor is appointed and qualified.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in adjourned regular meeting assembled on the ____ day of _____, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this ____ day of _____, 2005.

Lara Weisiger, City Clerk
City of Alameda

Approved as to Form
CITY ATTORNEY

CITY OF ALAMEDA RESOLUTION NO. _____

REAPPOINTING CYNTHIA WASKO AS A MEMBER OF THE
SOCIAL SERVICE HUMAN RELATIONS BOARD

BE IT RESOLVED by the Council of the City of Alameda that pursuant to the provisions of Article X of the Charter of the City of Alameda, and upon nomination by the Mayor, CYNTHIA WASKO is hereby reappointed to the office of member of the Social Service Human Relations Board of the City of Alameda for the term commencing July 1, 2005 and expiring on June 30, 2009, and to serve until her successor is appointed and qualified.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in adjourned regular meeting assembled on the ____ day of _____, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this ____ day of _____, 2005.

Lara Weisiger, City Clerk
City of Alameda

Approved as to Form

CITY ATTORNEY

CITY OF ALAMEDA ORDINANCE NO. _____
New Series

Approved as to Form
Chalanda
CITY ATTORNEY

AMENDING THE ALAMEDA MUNICIPAL CODE TO CHANGE THE NAME OF THE PUBLIC ART ADVISORY COMMITTEE TO PUBLIC ART COMMISSION, TRANSFER REPORTING FROM RECREATION & PARK COMMISSION TO CITY COUNCIL, AND TRANSFER STAFFING FROM THE RECREATION & PARK DEPARTMENT TO THE PLANNING & BUILDING DEPARTMENT BY AMENDING SUBSECTIONS 30-65.3 (CONTRIBUTION REQUIREMENTS), 30-65.4 (PUBLIC ART), 30-65.5 (ALAMEDA PUBLIC ART FUND), 30-65.7 (PUBLIC ART ADVISORY COMMITTEE), 30-65.8 (APPLICATION AND APPROVAL PROCEDURES FOR PLACING PUBLIC ART ON PRIVATE PROPERTY), 30-65.10 (GUIDELINES FOR APPROVAL), AND 30-65.11 (APPEAL TO THE CITY COUNCIL) OF SECTION 30-65 (PUBLIC ART IN NEW COMMERCIAL, INDUSTRIAL, RESIDENTIAL AND MUNICIPAL CONSTRUCTION)

BE IT ORDAINED by the City Council of the City of Alameda that:

Section 1. Subsection 30-65.3(f) is hereby amended to read as follows:

f. Subject to the approval of the Public Art Commission, an owner or developer may incorporate into the development Public Art that has a value lower than the Program Allocation and pay a Public Art In-Lieu Contribution to the Public Art Fund for the balance of the Program Allocation.

Section 2. Subsection 30-65.4(b)(vii) is hereby amended to read as follows:

(vii) Any other form of cultural program determined by the Public Art Commission to satisfy the intent of this section.

Section 3. Subsection 30-65.5(d) is hereby amended to read as follows:

d. The Public Art Commission shall present annually to the City Council for approval a Public Art Plan that recommends the use of Alameda Public Art Fund monies consistent with the purpose of this Section. The Public Art Plan shall be administered by the Planning & Building Department.

Section 4. Section 30-65.7 is hereby amended to read as follows:

30-65.7 Public Art Commission.

- a. There is hereby established a Public Art Commission that shall consist of five members appointed by the City Council, who are knowledgeable about contemporary visual public art, and capable of engaging effectively in a jury process.

- b. Membership, term of office, and removal of the members of the Public Art Commission shall be set by City Council Resolution.
- c. The Commission shall make decisions regarding applications for the installation of Public Art, the selection of Public Art, and matters pertaining to the quality, quantity, scope and style of art in public places.
- d. The Commission shall make recommendations to the Council regarding the Public Art Plan.
- e. The Commission shall assist private property owners, as requested, regarding the selection and installation of Public Art.
- f. The Commission shall review and promote City inventory of meritorious Public Art in public view.

Section 5. Section 30-65.8 is hereby amended as follows:

30-65.8 Application and Approval Procedures for Placing Public Art on Private Property.

- a. An application for the installation of Public Art on private property shall be submitted to the Planning & Building Department on forms furnished for that purpose and shall include the following information, as applicable:
 - (i) Landscape and site plans indicating the location and orientation of the Public Art and the landscaping and architectural treatment integrating the piece into the overall project design;
 - (ii) A sample, model, photograph or drawings of the proposed Public Art;
 - (iii) Material samples and finishes if appropriate;
 - (iv) A resume of the proposed artist;
 - (v) Slides and/or photographs of the proposed artist's past Public Art, which demonstrates like Public Art to the proposal;
 - (vi) A written statement by the artist describing any theme or development of the Public Art, as well as a discussion of the manner in which the proposed Public Art meets the Guidelines described in section 30-65.10, and the manner in which the Public Art will be displayed in an area that is visible from a public right-of-way or public property; or, if an on-site cultural program or art space or cultural facility, the means by which the public will gain access to such programs, spaces, or facilities.
 - (vii) A written statement by the artist declaring the valuation of the Public Art.
 - (viii) A maintenance plan for the Public Art.
 - (ix) Any such additional information or material as may be required by the Planning & Building Director, or designee.
- b. The application submitted pursuant to subparagraph (a) shall be referred to the Planning & Building Director or his/her designee for preliminary review to determine whether the application is complete. The completed application

along with the recommendation of staff and/or consultants shall be forwarded to the Public Art Commission for review and decision.

- c. The Public Art Commission shall review the permit application within sixty (60) days of receipt of a complete application. The Public Art Commission may make recommendations regarding possible changes, modifications or additions to the proposal. Fourteen (14) days' prior written notice shall be provided to the applicant of the time and place of the meeting at which the application will be considered.
- d. The Public Art Commission shall approve or deny the application in accordance with the Guidelines for Approval referenced in section 30-65.10. The Public Art Commission may conditionally approve an application subject to such conditions that the Public Art Commission deems reasonably necessary to conform the Public Art Guidelines for Approval.
- e. Failure of the Public Art Commission to act on an application and to notify the applicant within seventy-five (75) calendar days of receipt of a complete application, or such extended period as may be mutually agreed upon by the applicant and the Public Art Commission, shall be deemed a denial of such application.
- f. The application required by this section shall be made, approval obtained and the Public Art installed prior to final building inspection or issuance of approval of a certificate of occupancy for the new construction. If installation prior to the date of occupancy is impracticable, as determined by the Planning and Building Director or his/her designee, a certificate of occupancy may be approved for the building or portion thereof if the application submitted pursuant to this section has been approved, the applicant has executed a written agreement with the City to install the Public Art, and the applicant has filed security in an amount and form acceptable to the City Attorney to guarantee installation of the Public Art.
- g. The property owner shall maintain, or cause to be maintained, in good condition the Public Art continuously after its installation and shall perform necessary repairs and maintenance to the satisfaction of the City. The maintenance obligations of the property owner shall be contained in the covenant and recorded against the property by the applicant. Should the property owner wish to remove the Public Art, the City must be notified in advance. The property owner shall replace the Public Art with Public Art of equal or greater value, and consistent with the California Preservation of Works of Art Act and the Federal Visual Artists' Rights Act and any other relevant law.

Section 6. Subsection 30-65.10(a) is hereby amended to read as follows:

- a. Guidelines for approval and maintenance of Public Art ("Guidelines for Approval") shall be adopted by the City Council, upon recommendation from the Public Art Commission. Guidelines shall be adopted within sixty (60) days of the Ordinance codified in this Chapter.

Section 7. Section 30-65.11 is hereby amended to read as follows:

30-65.11 Appeal to the City Council.

Any final decision of the Public Art Commission may be appealed to the City Council within ten (10) calendar days following the decision of the Public Art Commission. Said appeal shall explain the grounds for the appeal in writing.

Section 8. This Ordinance shall be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.

Presiding Officer of the Council

Attest:

Lara Weisiger, City Clerk
City of Alameda

* * * * *

I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by Council of the City of Alameda in regular meeting assembled on the _____ day of _____, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this _____ day of _____, 2005.

Lara Weisiger, City Clerk
City of Alameda

CITY OF ALAMEDA
Memorandum

TO: Honorable Mayor and
Councilmembers

FROM: William C. Norton
Acting City Manager

DATE: June 28, 2005

RE: Report on Proposed PERS Golden Handshake Retirement

BACKGROUND

The PERS Golden Handshake program as provided under California Government Code Section 20903, provides that the City may offer a retirement incentive of two years extra service credit to employees in designated positions because of impending transfers, demotions, and layoffs resulting from the curtailment of, or change in the manner of performing services. The employees must be at least 50 years of age, have at least five years service with PERS, and retire within a window of time that will be established by Council. As part of budget balancing efforts in the early and mid nineties, the City Council adopted resolutions granting Golden Handshakes to employees in designated positions. The City of Alameda may again offer the Golden Handshake in 2005 by granting another designated period.

Staff has been directed to pursue the PERS Golden Handshake program which includes preparation of appropriate PERS contract documents as well as specific savings data. This report is to make public the cost to provide this benefit, as required under Section 20903.

DISCUSSION

The following positions have been identified for consideration for the Golden Handshake program:

<u>Department/Division/Unit</u>	<u>Classification</u>	<u>Cost</u>
Recreation & Park Department	1 Recreation Supervisor	\$ 44,364
Development Services	1 Management Analyst	\$ 31,620
Development Services	1 Intermediate Clerk	\$ 24,017
Alameda Power & Telecom	1 Environmental & Safety Program Coordinator	\$ 39,196
Alameda Power & Telecom	1 Gardener	\$ 24,980
Alameda Power & Telecom, Operations Division, Telecom Optns/Construction Unit	1 Senior Clerk	\$ 25,873
		<hr/> \$190,050

BUDGET CONSIDERATION/FINANCIAL IMPACT

The added cost for all eligible employees who retire during the specified period will be included in the annual valuation report from PERS for the fiscal year 2008/2009. Only the costs for those employees who actually retire under these provisions will be included. Fiscal year savings are calculated based on applicable incumbent criteria; AP&T information may vary according to Public Utilities Board staffing authorization.

It is estimated that the one-time-costs and savings to the General Fund, CIC, ARRA and AP&T will be as follows:

<u>Classification</u>	<u>Funding Source</u>	<u>One-time PERS Cost</u>	<u>First Fiscal Year Savings</u>	<u>Subsequent Savings per Fiscal Year</u>
Recreation Supervisor	General Fund total	\$ 44,364	\$ 59,787	\$104,151
Management Analyst	CIC total	\$ 31,620	\$ 70,764	\$102,384
Intermediate Clerk	ARRA total	\$ 24,017	\$ 31,324	\$ 55,341
Envntl/Safety Prgm Coord	AP&T	\$ 39,196	\$ 60,583	\$ 99,779
Gardener	AP&T	\$ 24,980	\$ 34,613	\$ 59,593
Senior Clerk	AP&T	<u>\$ 25,873</u>	<u>\$ 33,560</u>	<u>\$ 59,433</u>
	AP&T total	\$ 90,049	\$128,756	\$218,805

RECOMMENDATION

It is recommended that this report be accepted making public the costs of the proposed PERS Golden Handshake. Implementation of the amendment requires adoption of a resolution approving the Golden Handshake retirement period in no less than two weeks. That resolution will be on the City Council agenda on July 19, 2005.

Respectfully submitted,



Karen Willis
Human Resources Director

KW:mm

CITY OF ALAMEDA
MEMORANDUM

To: The Honorable Mayor
and Members of the City Council

From: William C. Norton
Acting City Manager

Date: June 27, 2005

Re: City of Alameda Management Practice #37: Council-Staff Communication Policy

Background

On July 15, 1997, the City Council ratified the "Staff-Council Communication Policy" (attached). The policy is referred to internally as Management Practice #37.

On June 7, 2005, Mayor Johnson requested that Management Practice #37 be placed on the Council agenda for review and reconsideration.

Discussion/Analysis

Section 7-3 of the Alameda City Charter states that "except for purposes of inquiry, the Council and its members shall deal with that portion of the administrative service for which the City Manager is responsible solely through him." The applicable section of the City Charter is attached here for Council reference.

Fiscal Impact

Not applicable.

Municipal Code/Policy Document Cross Reference

Not applicable.

Recommendation

None.

Dedicated to Excellence, Committed to Service

Report 5-E
7-5-05

Respectfully submitted,

William C. Norton
Acting City Manager

WCN: cj:al

Attachments

ARTICLE VII

City Manager

Sec. 7-1. The City Manager shall be the Chief Administrative Officer of the City and shall be chosen by the Council on the basis of his executive and administrative qualifications, with special reference to his actual experience in or his knowledge of, accepted practice in respect to the duties of his office as hereinafter outlined.

Sec. 7-2. The City Manager shall have the power and it shall be his duty:

- (A) To administer and execute policies and undertakings formulated by the Council.
- (B) To enforce all laws and ordinances, except as provided by Section 6-1, and he is hereby declared to be beneficially interested in their enforcement and to have power to sue in proper courts to enforce them.
- (C) To appoint, discipline and remove all officers and employees of the City under his jurisdiction, subject to Civil Service requirements.
- (D) Repealed.
- (E) To attend all meetings of the Council unless excused by the Council or the Mayor.
- (F) To keep the Council at all times fully advised as to the needs of the City and to recommend such measures and policies as he may deem expedient.
- (G) To conduct such investigations and prepare such plans, specifications or reports as may be specified by the Council.
- (H) To see that all contracts and franchises made under his jurisdiction or that of the Council are faithfully performed, and to report all violations thereof to the Council.
- (I) To supervise and administer all public parks, golf courses, recreation areas, wharves, docks and other public properties, utilities and facilities belonging to the City except as in this Charter otherwise provided.
- (J) To appoint technical advisory experts or boards with the consent of and at such compensation as may be provided by the Council.

- (K) Repealed.
- (L) To prepare and submit a budget as required by this Charter.
- (M) To investigate the conduct and proceedings of any officer or board of the City when he shall deem the same necessary, or when so directed by the Council.
- (N) To devote his entire time to the duties of his office.
- (O) To formulate rules and regulations for officers and employees under his jurisdiction.

Sec. 7-3. Neither the Council nor any of the members thereof shall interfere with the execution by the City Manager of his powers and duties. Except for purposes of inquiry, the Council and its members shall deal with that portion of the administrative service for which the City Manager is responsible solely through him. An attempt by a Councilmember to influence the City Manager in the making of any appointment or the purchase of any materials or supplies shall subject such Councilmember to removal from office for malfeasance.

Sec. 7-4. Those Department Heads holding office pursuant to Section 2-3 of the Charter shall each have power to discipline any employee under his control by the imposition of a fine not to exceed one month's salary, or by suspension without pay for not to exceed thirty days, or other penalty less than dismissal, subject to appeal to the City Manager who shall have final authority to affirm, modify or revoke such penalty without appeal therefrom.

Sections 7-5 through 7-12 repealed.

City of Alameda

Inter-department Memorandum

TO: Honorable Mayor and Members
of the City Council

FM: Jim Flint, City Manager

DT: July 9, 1997

RE: Ratification of Administrative Instruction No. 36, Staff-Council Communication

Background

Attached is a revision of the original administrative policy that I had proposed governing interaction between members of the City Council and staff. The City Council had identified some concerns with the original administrative policy and ask that I reconsider this policy in light of your concerns.

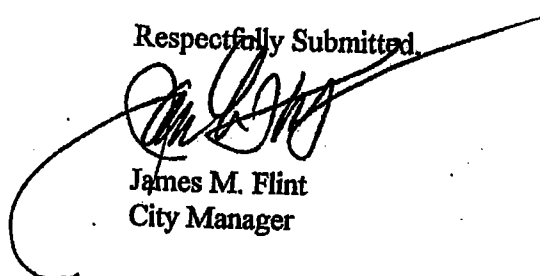
Discussion/Analysis

The revised policy now provides the Council with a choice of contacting the department head directly or working through the City Manager's office in pursuing an inquiry. And, it still provides the Council with the ability to contact individual members of the staff for purposes of acquiring additional information, after the initial response to an inquiry from a Councilmember. Further, it defines what an inquiry is and delineates it from an action to provide further clarification.

Recommendation

The City Manager recommends that the City Council ratify Administrative Instruction No. 36 as presented in the attached revised version.

Respectfully Submitted,


James M. Flint
City Manager

Attachment

Reports #5-G
7-15-97

Re: #7-A
Council Communications
6-7-95

City of Alameda
Inter-department Memorandum

ADMINISTRATIVE INSTRUCTION

NO. 36

DATE: July 2, 1997
SUBJECT: Staff-Council Communication Policy
EFFECTIVE DATE: _____

Purpose

The intent of this policy is to provide an administrative policy to govern the interaction between members of the City Council and City of Alameda staff which respects the provisions of the City Charter, while providing the City Council the opportunity to interact directly with staff on matters of interest to its members or their constituents.

Policy

Section 7-3 of the Alameda City Charter states that "Except for purposes of inquiry, the Council and its members shall deal with that portion of the administrative service for which the City Manager is responsible solely through him." Accordingly, the Charter establishes the expectation that the City Council will work through the City Manager to have staff respond to both the directives of the City Council acting as the governing body or the requests of its individual members.

What is an Inquiry?

The Charter clearly identifies the Council's prerogative to make inquiries. According to Webster's New Collegiate Dictionary, an inquiry is simply defined as "a request for information." The Council should have access to staff resources to make requests for information or to ask questions on issues of interest. However, this should be contrasted to the definition of an action which is to get "a thing accomplished." The distinction between these two ideas is important only in that the Charter assigns the responsibility for getting things accomplished by the City Council through the City Manager and not directly through staff.

Request for Inquiry

Members of the City Council *may* direct their written or verbal inquiries to the City Manager's office or they may make a direct inquiry to a Department Head. Inquiries should be reasonably brief in nature such as asking for copies of existing documents or interpretations or elaborations of those documents. The City Manager's office or Department Heads will respond to constituent concerns as a part of the City's normal operating procedures which apply to such matters.

Clarification of Information

If a Councilmember desires clarification of the information being communicated, then that Councilmember may contact the staff member directly responsible for providing the information being requested. This direct contact is intended to allow Councilmembers access to staff should it be necessary for more information or clarification which opens up the organization to increased City Council interaction.

Request for Action

The current procedure for City Council to take action will apply, which is for members of the City Council to ask for issues to be placed on the agenda for consideration and approval. Once Council has taken action, then the City Manager and staff will implement those decisions.

**James M. Flint
City Manager**

**cc: Assistant City Manager
City Attorney
City Clerk
Community Development Department
Finance Department
Fire Department
Personnel Department
Planning Department
Police Department**

**Public Works Department
Recreation and Parks Department
Alameda Free Library
Alameda Housing Authority
Bureau of Electricity**

Vice Mayor DeWitt seconded the motion, which carried by unanimous voice vote - 5.

(97-423) Report from City Manager recommending ratification of Administrative Instruction No. 36, Staff/Council Communication Policy.

Don Roberts, Alameda, stated that he disagrees with the City Manager's proposal; in his [Robert's] opinion, the City Charter allows any member of the City Council to contact, for purposes of inquiry, any member of staff without going through the City Manager or Department Heads; and if restrictions are desired, the proposal should be placed on the ballot in order to revise the City Charter.

Susan McCormack, Alameda, stated that Councilmembers should not, other than for purposes of inquiry, have the right to go directly to staff.

Councilmember Kerr stated that Councilmembers submit requests for action which do not necessarily require City Council action, e.g. a request for a City Council Meeting Packet early; and the Request for Action statement in Administrative Instruction No. 36 should be amended to allow individual Councilmembers to directly request administrative action to the City Manager.

The City Manager stated Councilmember Kerr raised a very appropriate point, that there are inconsequential procedural requests, and it makes sense to have flexibility.

Vice Mayor DeWitt moved acceptance of the City Manager's recommendation and the proposed change by Councilmember Kerr.

Councilmember Lucas seconded the motion, which carried by unanimous voice vote - 5.

ORAL COMMUNICATIONS, NON-AGENDA

(97-423) Susan McCormack, Alameda, inquired whether anything had been done on the Mills Act Agreement, insofar as allowing private individuals to enter into an Agreement with the City; stated that the matter was addressed by the City Council and sent to the Historical Advisory Board; and matter was to be brought back to the City Council and she was to be notified.

Susan McCormack further explained that the Mills Act Agreement is an Agreement whereby owners of historical properties can enter into an agreement with the City; that the purchase price and



Management Practices

NO. 37

DATE: July 2, 1997
SUBJECT: Staff-Council Communication Policy
EFFECTIVE DATE: October 28, 1997

Purpose

The intent of this policy is to provide an administrative policy to govern the interaction between members of the City Council and City of Alameda staff which respects the provisions of the City Charter, while providing the City Council the opportunity to interact directly with staff on matters of interest to its members or their constituents.

Policy

Section 7-3 of the Alameda City Charter states that "Except for purposes of inquiry, the Council and its members shall deal with that portion of the administrative service for which the City Manager is responsible solely through him." Accordingly, the Charter establishes the expectation that the City Council will work through the City Manager to have staff respond to both the directives of the City Council acting as the governing body or the requests of its individual members.

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Office of the City Manager

2263 Santa Clara Avenue, Room 320

Alameda, California 94501

510 748-4505 Office - 510 748-4504 Fax - TDD 510 522-7538

Request for Inquiry

Members of the City Council *may* direct their written or verbal inquiries to the City Manager's office or they may make a direct inquiry to a Department Head. Inquiries should be reasonably brief in nature such as asking for copies of existing documents or interpretations or elaborations of those documents. The City Manager's office or Department Heads will respond to constituent concerns as a part of the City's normal operating procedures which apply to such matters.

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If a Councilmember desires clarification of the information being communicated, then that Councilmember may contact the staff member directly responsible for providing the information being requested. This direct contact is intended to allow Councilmembers access to staff should it be necessary for more information or clarification which opens up the organization to increased City Council interaction.

Request for Action

The current procedure for City Council to take action will apply, which is for members of the City Council to ask for issues to be placed on the agenda for consideration and approval. Once Council has taken action, then the City Manager and staff will implement those decisions. This does not prevent members of the City Council from asking the City Manager to take actions of a limited nature such as follow-up to constituent requests.



James M. Flint
City Manager

cc: Assistant City Manager
City Attorney
City Clerk
Community Development Department
Finance Department
Fire Department
Personnel Department
Planning Department

Alameda Reuse and Recevelopment
Public Works Department
Recreation and Parks Department
Alameda Free Library
Alameda Housing Authority
Bureau of Electricity

**THIS REPORT WILL BE COMING
OUT UNDER SEPARATE COVER.**

**CURRENT APPLICATIONS
TRANSPORTATION COMMISSION**

Michael R. Fassler

John Knox-White

Richard P. Neveln

James A. Price

Jonathan D. Soglin

Jon M. Spangler

Elizabeth Tuckwell